

CONSOLIDATED ANNUAL ACTIVITY REPORT 2022

In pursuance of FR 2018/1046, FFR No 2019/715



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Management Board's analysis and assessment

The Management Board of the Agency for Support for BEREC,

Having regard to Regulation (EU) No 2018/1971 of the European Parliament (EP) 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, Agency), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009¹ (the BEREC Regulation) and, in particular Article 16(c) and Article 27 thereof;

Having regard to Directive (EU) 2018/1972 of the EP and of the Council of 11 December 2018 establishing the European Electronic Communications Code² (EECC);

Having regard to Article 48 of Management Board (MB) Decision No MB/2019/13 on the financial regulation applicable to the BEREC Office;

Having regard to the BEREC Office Single Programming Document (SPD) for 2022-2024, containing the BEREC Office Work Programme (WP) 2022³, which was developed to support the achievement of the objectives of the BEREC WP 2022⁴;

Having regard to the 2022 Consolidated Annual Activity Report (CAAR) of the BEREC Office submitted by the Director, as authorising officer, to the MB on the performance of his duties;

Whereas,

- (1) 2022 was a challenging year due to the fact that the Agency needed to continue providing its support in the implementation of the new regulatory framework for electronic communication, while continuing to address ongoing challenges arising from the worldwide COVID-19 pandemic, the war in Ukraine and energy crisis in Europe, and the extremely high inflation in the host Member State Latvia;

¹ OJ L 321, 17.12.2018, p.01- 35,

² OJ L 321, 17.12.2018, p. 36–214, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018L1972&qid=1621506784842>

³ See document MB (21) 69, Single Programming Document of the Activities of the Agency for Support for BEREC ('BEREC Office') for the period 2022-2024, 10.12.2021, <https://www.berec.europa.eu/en/document-categories/berec-office/berec-office-work-programmes/single-programming-document-of-the-activities-of-the-agency-for-support-for-berec-berec-office-for-the-period-2022-2024>

⁴ See document BoR (22) 175, BEREC 2022 Work Programme, 09.12.2021, <https://www.berec.europa.eu/en/document-categories/berec/berec-strategies-and-work-programmes/berec-work-programme-2022>

- (2) Irrespectively of the challenges, the BEREC Office management and most of the staff demonstrated good resilience and managed adequately to address the challenges mentioned above;
- (3) The BEREC Office Director/ Authorising Officer mobilised in an efficient and effective manner all available financial and human resources and despite the challenging circumstances, the BEREC Office continued to deliver its services to its main client – BEREC, by undertaking the following actions:
 - a) providing high-quality administrative and professional support to the BEREC Board of Regulators (BoR), the BEREC Contact Network (CN), the BEREC Working Groups (WGs), including the Ad Hoc WGs and the BEREC Office Advisory Group (BAG) in particular by supporting the organisation of:
 - i. four ordinary BoR meetings;
 - ii. four ordinary and one extraordinary CN meetings;
 - iii. 27 physical and 505 virtual WGs meetings, including five external workshops and three 3rd party meetings organised by the BEREC Office for the WGs;
 - iv. three high-level workshops and 24 Mini Board meetings;
 - v. 54 other events attended by the BEREC Chair and 17 international events;
 - vi. four BAG meetings.
 - b) providing safe and secure information and communication technology (ICT) tools (hardware and software) ensuring the smooth virtual functioning of the decision-making and the activity of the preparatory bodies of BEREC and enabling BEREC to maintain appropriate communication channels with its stakeholders under the exceptional circumstances mentioned above, by putting into operation new and ensuring the functioning of the already existing ones, such as:
 - i. the electronic voting tool;
 - ii. the audio-video conference (AVC) facilities in Brussels and Riga;
 - iii. the platform for video-recording and streaming services;
 - iv. the enhanced systems for business continuity, disaster recovery and information technology (IT) security;
 - c) managing the following studies for BEREC:
 - i. External Sustainability Study on Environmental impact of electronic communications (ordered in 2021 and finalised in 2022);
 - ii. Study on national regulatory authorities (NRAs) independence;
 - iii. External Study on Communication Services for Businesses in Europe:

Status Quo and Future Trends;

- iv. Study on wholesale mobile access connectivity, trends and issues for emerging mobile technologies and deployments (ordered in 2022 and to be finalised in 2023).
- d) contributing to the deployment of the Pan-European telecommunication services and ensuring compliance with BEREC's obligations stemming out from the EECC in the area of general authorisation and numbering by developing and putting into operation of European Union (EU) General Authorisation and Numbering Databases, as required by the provisions of Article 12 (4) and Article 93 of the EECC;
 - e) establishing new Union-wide database of numbering ranges for value-added services in each Member State and Union-wide database of means of access to emergency services according to Article 16 of the Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union (Roaming Regulation);
 - f) providing the historic data needed for the calculation of the weighted average cost of capital (WACC) by BEREC - for use by the national regulatory authorities (NRAs) and the European Commission (EC);
 - g) increasing the visibility of BEREC's work by implementing the communications activities foreseen for the Agency in the annual BEREC Communications plan, including organising one BEREC Stakeholder Forum, as well as four BEREC public debriefings, as well as multiple other events, projects and activities;
 - h) supporting the preparation of 37 public and nine internal BEREC deliverables;
 - i) organising 11 public consultations and five calls for input for collecting views of all interest parties on draft BEREC deliverables and preparing summary reports on the outcome of the consultations;
 - j) organising professional training for the NRAs' experts on the EU regulatory framework for electronic communications;
 - k) continuing and improving the IT support to BEREC, including through the use of specialised ICT and IT security services provided by IT service providers, the EC services (the Directorate-General for Informatics), the EU Computer Emergency Response Team (CERT-EU), other EU agencies (EUIPO) and joint undertakings;
- (4) The BEREC Office successfully completed the negotiations with the Latvian authorities on the additional arrangements for the implementation of the new Headquarters Agreement (signed on 21 December 2020) and, as a results, on 16 June 2022 both sides signed a Service level agreement, which is an important prerequisite for the implementation of Article 47 of the BEREC Regulation;

- (5) The BEREC Office maintained its stable day-to-day operation and introduced further improvements in its operations, irrespectively of the challenges associated with the Russian invasion in Ukraine and the negative impact of the COVID-19 outbreak, as follows:
- a) utilising the necessary flexibility in managing the limited human and financial resources in accordance with the priorities set up by the MB and taking into account the challenging conditions in which the Agency worked;
 - b) implementing a major security project in order to strengthen the technical and physical security of the BEREC Office premises, assets and staff, incl. the agreement with the building owner to establish a bomb shelter;
 - c) maintaining high levels of budget execution in terms of commitment appropriations⁵, keeping the cancellation rate of appropriations carried over from 2021 to 2022 below the 5% threshold⁶;
 - d) ensuring the necessary capacity for executing the Agency's mandate by maintaining fully staffed situation;
 - e) continuing the modernisation of the IT environment of the Agency, including by the deployment of additional IT tools in the area of procurement, HR and budget management and strengthening the Agency business continuity and disaster recovery plan;
 - f) continuing the work on the new BEREC Office premises project within the umbrella of the new House of Europe project in Riga initiated by the EP and EC;
 - g) continuing the commitment to enable young graduates to gain experience in the work of the EU in general and in the work of BEREC and the BEREC Office in particular by providing traineeship to 14 trainees in 2022;
 - h) offering legal services to staff, comprehensive induction programme and other services oriented to facilitating the establishment and retaining staff;
 - i) continuing the implementation of the internal control framework in force as of January 2019 and maintaining efficient and effective internal control systems at the BEREC Office;
- (6) The MB is assured that the limited BEREC Office resources were managed in the best possible manner but is concerned by the fact that the increase in the EU contribution does not follow the level of the inflation in the host Member State, which has put certain constraints on the Agency's activity;

⁵ Commitment execution rate: 99.99% in 2022, 99.97% in 2021, and 99.07% in 2020

⁶ Cancellation rate of appropriations carried over: 1.37% in 2022, 1.14 % in 2021, and 3.85% in 2020

- (7) The MB took note of the intension of the EC to terminate the provision of accounting services to the Agency and expresses its concern about the continuity of the accounting services;
- (8) The MB is assured of the reliability of the accounts and of the legality and regularity of the transactions undertaken.

Following an analysis of the CAAR 2022 from the Director, the following conclusions have been reached:

1. The BEREC Office managed to cope with its increasing tasks and assignments stemming from the new EU regulatory framework and other legal requirements under the conditions of a continuous world-wide outbreak of the COVID-19 pandemic, war in Ukraine and energy crisis in Europe.
2. The BEREC Office demonstrated good mobilisation of all its available resources: financial and human, and maintained its capacity to support BEREC during times of a global crisis.
3. The BEREC Office reacted swiftly on any new request for services coming from BEREC and provided BEREC with high-quality professional and administrative support, including for the preparation of high-quality BEREC deliverables.
4. Irrespectively of the challenges, the internal control systems at the BEREC Office continue to work as intended; the European Court of Auditors (ECA) and the independent auditor issued in 2022 clean opinions on the legality and regularity of the 2022 Agency's accounts.
5. The information contained in the CAAR presents a true and fair view of the 2022 BEREC Office activities and demonstrates further improvements in the BEREC Office's performance in 2022 in achieving its objectives, as defined in the BEREC Regulation and the BEREC Office SPD 2022-2024.
6. The resources assigned to the activities described in the report were used for their intended purpose and in accordance with the principle of sound financial management.
7. The control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.
8. In a year of extreme and continuous challenges, the BEREC Office, under the management of its Director, has met all targets and expectations for its performance, which is recognised as an achievement.

The Director is invited to:

1. Maintain the high level of operational support to BEREC, in line with its Annual WP and the Rules of Procedure;

2. Address the challenges associated with the war in Ukraine after the attack by Russia, including via maintaining high level of IT and physical security of the Agency's premises, assets and staff;
3. Work towards improving the working conditions for the staff and the living conditions for the staff and their families in the host Member State, including, where necessary, in cooperation with the host Member State, the EC and the EP in order to achieve full implementation of the spirit of the Article 47 of the BEREC Regulation;
4. Work towards long term stability in staffing with reshuffling the available resources, if necessary, implement appropriate measures aimed at attracting and retaining highly qualified staff and maintaining the staff turnover at low levels;
5. Implement in cooperation with the Staff Committee the action plan for social welfare measures with the limits of the voted budget;
6. Maintain efficient and effective internal control systems at the BEREC Office in compliance with the risks at the Agency;
7. Maintain good level of budget planning and management with a view to ensuring compliance with the key performance indicators adopted by the MB;
8. Report regularly on the achievement of key performance indicators by the BEREC Office and progress towards addressing any remaining open issues raised by the discharge authority and/or in the ECA in previous years' reports.

29 June 2023

For the Management Board

(e-signed)

Konstantinos Masselos
Chairperson

Abbreviations

Abbreviation	Meaning
ABAC	Accrual Based Accounting
AD	Administrator
AST	Assistant
AST/SC	Secretaries and clerks
AVC	Audio-video conference
BAG	BEREC Office Advisory Group
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Agency for Support for BEREC
BEREC Regulation	Regulation (EU) No 2018/1971 of the European Parliament and of the Council of 11 December 2018, replacing Regulation (EC) No 1211/2009
BoR	Board of Regulators
CA	Contract agent
CdT	Translation Centre of the EU
CERT-EU	EU Computer Emergency Response Team
CN	Contact Network
DG	Directorate General of the European Commission
DG BUDG	DG for Budget
DG DIGIT	DG for Informatics
DG HR	DG for Human Resources and Security
DPO	Data Protection Officer
ECA	European Court of Auditors
EECC	Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code
EFTA	European Free Trade Association
ENISA	European Union Agency for Network and Information Security
EP	European Parliament

Abbreviation	Meaning
EU	European Union
FG	Function group
FTE	Full-time equivalent
FWC	Framework contract
GADB	General authorisation data base
HQA	Headquarters Agreement
HR	Human resources
IAS	Internal Audit Service
ICF	Internal Control Framework
ICT	Information and communications technology
IIC	International Institute for Communications
ISP	Information Sharing Portal
IT	Information technology
MB	Management Board
NRA	National regulatory authority
OJ	Official Journal of the European Union
PMO	Office for the Administration and Payment of Individual Entitlements
RBFM	Report on budgetary and financial management
SLA	Service level agreement
SNE	Seconded national expert
SPD	Single programming document
TA	Temporary agent
WACC	Weighted average cost of capital
WG	Working Group
WP	Work Programme

Executive summary

This document provides an overview of the activities carried out by the Agency for Support for BEREC (BEREC Office, Agency) in 2022 with the aim to inform the BEREC Office Management Board (MB) of the progress in the implementation of its Work Programme (WP) for 2022, as defined in the corresponding Single Programming Document for 2022-2024. The report includes measurements of the key performance indicators; identifies any major impediments to accomplishing the annual objectives and presents up-to-date information about the level of budget execution during 2022.

Achievements in recurring activities

To support the fulfilment of all the tasks and objectives defined in the BEREC WP, the Agency has contributed to the setting up of the 12 BEREC Working Groups and provided support for organisation of the workshops and meetings – altogether 27 in physical and 505 in virtual mode.

To ensure transparency and accountability of BEREC's activities, the BEREC Office has supported the launch of 11 public consultations and processed the data from five calls for inputs and 23 data collection exercises. The Agency has also prepared regular draft reports on major EU-level advancements on telecommunications regulation, key regulatory initiatives, EU national market analysis and assisted the BEREC Board of Regulators (BoR) in the preparation of BEREC's annual activity report and the specific reports on market developments in the electronic communications sector.

The BEREC Office contributed to enhancing the professional knowledge of the experts from the national regulatory authorities (NRAs) – under the umbrella of a new framework contract, the provision of four different types of training courses was envisaged for this year. The last sessions of the course on sustainability issues were successfully finalized in the first quarter of 2022, and two training courses on regulatory framework and communications issues were launched in H1.

The BEREC Office supported the organisation of four ordinary BoR and MB meetings, four ordinary and one extraordinary BEREC Contact Network meetings, three high-level BEREC workshops, four BEREC Office Advisory Group meetings, and 24 Mini Board meetings. Some of the meetings were held in hybrid mode. In 2022, the Agency reimbursed the travel costs for 301 meeting participants.

The BEREC Office provided professional and administrative support to the Chair/Chairperson for the organisation and smooth running of 17 BoR and MB electronic voting procedures.

In 2022, the BEREC Office continued supporting BEREC in reaching its communications objectives by ensuring that the BEREC target audiences receive appropriate, objective, reliable, and easily accessible information on the BEREC tasks and the results of its work. In support to

the BEREC Chair's team, the BEREC Office ensured the daily communications activities by drafting and distributing information on the work of BEREC and its Chair. Besides, it organized four public debriefings on the outcomes of the BoR ordinary meetings.

While continuing to provide day-to-day ICT services to BEREC in an efficient and timely manner, important ICT projects were completed – such as a workshop for the definition of digital workplace – and others launched – Data Protection Impact Assessment of M365 set of services and implementation of a new backend solution for the BEREC website – to secure high-quality support in the long-run.

2022 specific activities and achievements in support to BEREC

Under internal market procedures the BEREC Office coordinated the work of two ad hoc BEREC Working Groups (WGs) following the European Commission (EC) serious doubts letter that opened Phase II investigations pursuant to Article 32 and Article 33 of Directive (EU) 2018/1972.

The Agency concluded three procurement procedures for ordering external studies, namely: on NRAs' independence, the communication services for businesses in Europe: status quo and future trends and on wholesale mobile access connectivity, trends and issues for emerging mobile technologies and deployments.

Despite the COVID-19 restrictions imposed still at the beginning of 2022, and the outbreak of the war in Ukraine in February, the BEREC Office support to the WGs was not limited in any way. As a result of high staff motivation and the availability and assurance of remote connectivity to corporate infrastructure and systems for all employees without interruptions, we have managed to provide productive support to the WGs just as during the previous years of operation under normal conditions.

In terms of cyber and physical security, there were no incidents registered for the reporting period. We closely monitored the developments due to the war in Ukraine and we were in contact and close cooperation with CERT-EU and local authorities in Latvia to take the appropriate measures if the situation required it.

To enable the appropriate virtual collaboration in digital and hybrid meetings from Riga, the BEREC Office further progressed with the modernization of some core audio-video conference (AVC) equipment at the Agency.

During the reporting period, one major BEREC public event, the 10th BEREC Stakeholder Forum was organised in a hybrid mode. In 2022, the Stakeholder Forum again was complemented with the "Meet&Greet" or the BEREC Working Group Co-chairs' informal meetings with stakeholders.

Apart from the usual assistance to the BEREC Communications Experts Networking Group, the Agency provided support in developing the new BEREC and BEREC Office visual identity, including the new logos for both entities. Significant progress was made in developing the new BEREC website design.

War in Ukraine

The war in Ukraine affected the work both of BEREC and the BEREC Office. Specially, following the Russian invasion of Ukraine, BEREC with the support of the BEREC Office, closely followed the telecommunications sector's response to the crisis and the measures provided to refugees from the war in Ukraine voluntarily by EU operators. Based on data gathered by the BEREC Office from EU and Ukrainian operators about the applied retail measures a Joint Statement was agreed, which established a stable framework to help people fleeing the war in Ukraine to stay connected with their families and friends back home and maintain access to information.

Furthermore, the BEREC Office coordinated the process of establishing Working arrangements between the NRA from Ukraine and BEREC/BEREC Office that allowed the Ukrainian NRA to become participant without the voting right in BEREC and the BEREC Office.

Developments in the relations with the Latvian Authorities

In 2022 the BEREC Office continued its fruitful cooperation with the Latvian authorities, including under the umbrella of the new Headquarters Agreement (HQA), which entered into force on 15 June 2021. To ensure the practical steps for the implementation of certain of the provisions of the HQA on 16 June 2022 the BEREC Office and the Government of the Republic of Latvia signed a Service level agreement (SLA), which among others, served as the basis for the establishment of a Liaison Office.

Following the signature of the SLA a lot of activities, which had been put temporarily on hold were activated, such as facilitating the access to international schools for the children of the staff as a temporary measure before the establishment of an accredited European School and contribution to the schooling costs of the children of the BEREC Office, ex-ante exoneration of the VAT for official use, reimbursement of the VAT to BEREC Office staff, support to the BEREC Office staff and their families in their establishment in the Republic of Latvia and others.

Horizontal activities

As part of its contribution to achieving BEREC's objectives the BEREC Office ensured the smooth day-to-day operation of the Agency by carrying out the recurring administrative and financial activities in line with the legislation in force, namely, managing the budget in accordance with the activity-based budget management (ABM) approach, preparing all financial

transaction for timely execution, coordinating the internal, external and independent audits, ensuring centralised staff mission management, coordinating the internal control framework implementation at the Agency and preparing documents of horizontal nature.

The main challenges in the reporting period were related to the Russian invasion in Ukraine and the significant staff turn-over.

The war in Ukraine led to the change in the requirements for premises management, and the associated price increase of energy resources resulted in the increase in expenditure, and changes in the planned procurement. In 2022 Latvia experienced unusually high inflation, around the level of 20%. As Budget 2022 was not increased to address the challenges associated with this level of inflation, the BEREC Office reallocated the financial resources to priority activities and postponed some projects, such as evaluating the efficiency of its internal control system by an independent auditor or deploying an intranet.

The high inflation in the host Member State forced some contractors to terminate their contracts with the BEREC Office or to propose amendments regarding price increase. The continuous monitoring of the situation and the swift actions taken by the management allowed the Agency to ensure business continuity and to continue delivering its mandate.

Therefore, in line with the annual work programme, BEREC Office managed to ensure the highest level of budget execution for the last 5 years in commitments, namely: 99.99%⁷.

Furthermore, to maintain the appropriate human resources (HR) capacity for supporting BEREC's activities in 2022, the BEREC Office had to manage a significant staff turn-over caused mainly by factors of external nature. Recruitment of three staff members to fill in vacant posts were done via the use of existing reserved lists, and the recruitment of another two staff members resulted from the establishment of new reserved lists. The small number of applications received for the call for seconded national experts (SNEs) clearly demonstrates that recruitment of SNEs is a challenge to encounter and the Agency must elaborate a solution for the medium and long-term in this regard.

To improve the quality of work of BEREC by attracting and maintaining highly qualified staff at the Agency, we have put our efforts to offer an attractive working environment by – among others – making use of flexible teleworking arrangements and introducing as of 1 July the new rules of the EC on hybrid working, thus ensuring the reconciliation of work and private life;

⁷ In 2022, EUR 7,427,409 of the available financial resources were committed (99.99% of the appropriations available for commitments) and EUR 6,148,910 were paid (82.78% of the appropriations available for payments)

providing professional development opportunities; facilitating access to health measures and ensuring the proper functioning of the current premises including finding solutions for securing the safety of staff in relation to the war in Ukraine.

Introduction

1. Agency in Brief

The Agency for Support for BEREC (BEREC Office, Agency) was established by Regulation (EU) No 2018/1971 of the European Parliament (EP) and of the Council of 11 December 2018 (BEREC Regulation), replacing Regulation (EC) No 1211/2009. The BEREC Office is established as a body of the European Union (EU) with a legal personality.

The BEREC Office comprises:

- the Management Board;
- the Director.

The Director is in charge of the administrative management of the BEREC Office.

The number of staff available to the Agency in 2022 was 47 persons, split into the following categories: 16 temporary agents (including the Director), 22 contract agents and 9 seconded national experts.

Pursuant to Article 5 of the BEREC Regulation, the BEREC Office has the following tasks:

- to provide professional and administrative support services to BEREC, in particular in fulfilling its regulatory tasks;
- to collect information from national regulatory authorities (NRAs) and to exchange and transmit information in relation to the regulatory tasks assigned to BEREC;
- to produce, on the basis of the information received from NRAs in relation to the regulatory tasks assigned to BEREC, regular draft reports on specific aspects of developments in the European electronic communications market, such as roaming and benchmarking reports, to be submitted to BEREC;
- to disseminate regulatory best practices among NRAs;
- to assist BEREC in establishing and maintaining registries and databases, in establishing and managing an information and communications system and in conducting public consultations;
- to assist in the preparation of the work and provide other administrative and content-related support to ensure the smooth functioning of the Board of Regulators (BoR);
- to assist in setting up working groups (WGs), upon the request of the BoR, contribute to the regulatory work and provide administrative support to ensure the smooth functioning of those groups;
- to carry out other tasks assigned to it by this Regulation or by other EU legal acts.

The BEREC Office has its headquarters at Zigfrida Annas Meierovica Bulvaris 14, Riga, Latvia.

BEREC is the Body of European Regulators for Electronic Communications established by Regulation (EU) 2018/1971, which replaced the previous regulation, Regulation (EC) No 1211/2009. BEREC commenced its activities in January 2010. BEREC is composed of the heads or nominated high-level representatives of the NRAs of the EU Member States.

BEREC's overall task is to assist the European Commission (EC), the other European Institutions and the NRAs as a permanent advisory body on the electronic communications markets and networks. To this end, BEREC issues guidelines on several topics, and produces opinions, recommendations, common positions, best practices and methodologies. In addition, BEREC reports on technical matters, and keeps registers, lists and databases.

The role of BEREC has been enhanced by the new BEREC Regulation and by Directive (EU) 2018/1972 establishing the European Electronic Communications Code (EECC), which sets out a significant number of new tasks. BEREC fulfils its tasks also in compliance with the Roaming Regulation (Regulation (EU) No 531/2012) and the Telecoms Single Market Regulation (Regulation (EU) 2015/2120).

More information on BEREC and the BEREC Office can be found on the BEREC website (berec.europa.eu).

2. Year 2022 in numbers

- 27 physical and 505 virtual meetings of the WGs, including 5 external workshops and 3 third party meetings organised by the BEREC Office for the BEREC
- 11 public consultations and 5 calls for input launched and managed by the BEREC Office on behalf of BEREC
- 84 responses to queries for information from stakeholders and citizens on subjects related to BEREC's activity
- 90% satisfaction for communication, response, support to WG meetings and data collection exercise above
- 4 BEREC Board of Regulators (BoR) and BEREC Office Management Board (MB) meetings;
- 5 Contact Network (CN) meetings;
- 4 BEREC Office Advisory Group (BAG) meetings;
- 3 high-level workshops and 24 Mini Board meetings.
- 54 other events attended by the BEREC Chair and 17 international events support and organised by the BEREC Office

- 535 reimbursements processed through the AGM tool
- 28 launched procurement procedures, out of which 21 finalised successfully with a contract signature and 2 – carried-over to 2023
- 179 contracts signed (incl. specific contracts under existing framework contracts) in support to BEREC and for ensuring the running of the Agency
- 99.99% budget execution rate
- 102%⁸ staffing of the Agency to ensure the delivery of the core mandate and to develop specific projects

Part I: Achievements of the year

1. Support to BEREC Working Groups (WGs), including workshops and phase II cases

The total resources required for the support to BEREC WGs, including assistance in setting up WGs, organisation and coordination of WG meetings (both internal and external) and meetings of ad hoc WGs under the Article 32/33 procedure, are as follows:

Resource type	Planned resources, as envisaged in the WP 2022	Resources used
Financial resources (EUR)	1,439,190	1,657,261
Full-time equivalent (FTE) posts	16.00	16.66

In 2022, the BEREC Office collected the resource commitments from the national regulatory authorities (NRAs) for setting up the working groups and managed the email lists and email exploders related to the WGs. There were 12 WGs established by a decision of the BEREC Board of Regulators (BoR) (Annex I, Table 1).

The BEREC Office supported the organisation of 27 physical and 505 virtual meetings of the WGs in 2022, including five external workshops and three 3rd party meetings. The BEREC Office reimbursed the travel expenses of 169 meeting participants for those events.

A significant increase compared to 2021 of physical WG meetings organised by the BEREC Office in support to the WGs can be explained by gradual return to the pre-pandemic situation

⁸ Including three interim workers for executing specific projects (two in support to BEREC and one – for the administration)

and the tendency of experts to meet physically instead of virtual mode. Still the virtual mode of operation keeps its popularity as larger experts group can be involved in the meetings.

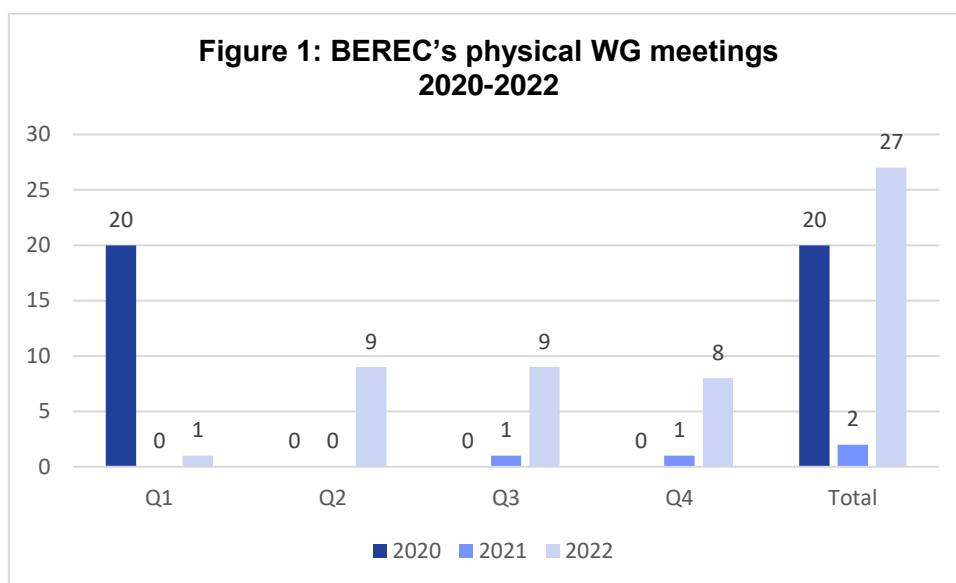
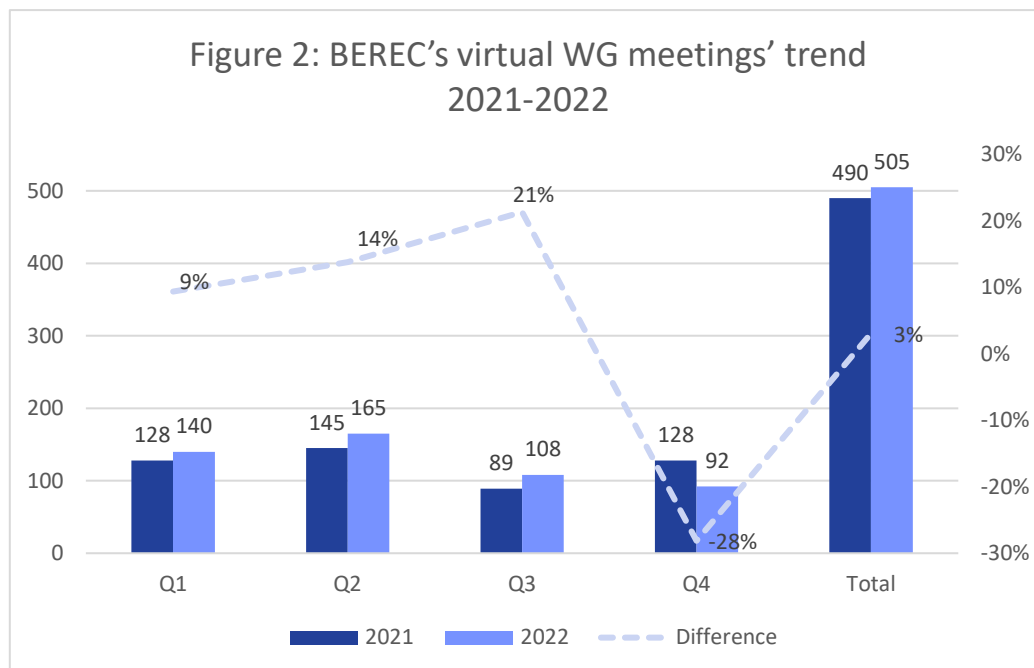


Figure 1 indicates a significant increase compared to 2021 of physical WG meetings organised by the BEREC Office.

Figure 2 shows that the number of virtual meetings in 2022 has slightly increased comparing to the virtual meetings in 2021. Timely planning and the purchase of audio-video conferencing (AVC) licences enabled BEREC members to communicate via virtual channels. Such a high demand and usage of virtual channels indicates a growing trend towards digital forms of work. Virtual channels have been consistently used by BEREC representatives in order to ensure seamless continuity in BEREC's operations. Large savings have been made on travel costs and CO₂ emissions have been consequently avoided.

The BEREC Office provided support in organising two WGs co-Chairs meetings: one virtual -in January to kick-off the work under the BEREC Work Programme and one physical -in June. The meetings allowed for a broad discussion between the co-Chairs and the Chair and enhanced successful completion of the assignments of the WGs. The meetings allowed also an exchange of views between the co-Chairs on the synergies and topics related to the involvement of stakeholders in their activity.



As mentioned above, according to the BEREC Work Programme in 2022 the BEREC Office provided organisational and logistical support to five **external workshops** as requested by the WGs and. organised in a hybrid mode.

The external workshops organised by the BEREC Office in 2022 were, as follows:

- BEREC Workshop - presentation of the Competition and Markets Authority (UK) study on Mobile Ecosystem⁹, held on 19 January 2022;
- BEREC Stakeholder Workshop on ICT Sustainability¹⁰, held on 4 April 2022;
- BEREC Workshop on Open RAN¹¹, held on 24 May 2022;
- Workshop regarding BEREC's Report on NI-ICS indicators¹², held on 29 June 2022;
- BEREC Workshop – experience sharing on the implementation of Article 22 EECC – Geographical survey of network deployments¹³, held on 15 September 2022.

⁹ <https://bereg.europa.eu/en/bereg-workshop-cma-presentation-bereg-on-mobile-ecosystems>

¹⁰ <https://bereg.europa.eu/en/events/bereg-events-2022/bereg-stakeholder-workshop-on-ict-sustainability>

¹¹ <https://bereg.europa.eu/en/document-categories/bereg/reports/summary-report-bereg-open-ran-workshop-24-may-2022>

¹² <https://bereg.europa.eu/en/events/bereg-events-2022/workshop-regarding-berecs-report-on-ni-ics-indicators>

¹³ <https://bereg.europa.eu/en/news-publications/news-and-newsletters/bereg-workshop-for-experience-sharing-on-the-implementation-of-article-22-eecc-geographical-surveys-of-network-deployments>

The attendance was high with more than 200 participants in some cases, which may be explained by the fact that the events were organised in a hybrid mode, thus allowing a larger audience to follow the events remotely.

The BEREC Office coordinated BEREC's activities in accordance with **Article 32/33** (previously known as Article 7/7a) procedures. Under this activity in 2022 the BEREC Office has contributed to an establishment of two ad hoc WGs following the European Commission (EC) serious doubts letter that opened two phase II investigations pursuant to one each under Article 32 and Article 33 of Directive (EU) 2018/1972 concerning:

- EC Decision in Cases **PL/2022/2370** and **PL/2022/2371** – Market 3a/2014 and Market 3b/2014 – update of WACC parameters in Poland, and
- EC Decision in Case **CZ/2022/2372**¹⁴: Wholesale local access provided at a fixed location in the Czech Republic; EC Decision in Case CZ/2022/2373: Wholesale central access provided at a fixed location for mass-market products in the Czech Republic.

For the Polish phase II investigation mentioned above the BEREC Office acted as a Rapporteur. The BEREC Office organised nine virtual meetings as part of the work of these WGs and contributed to the preparation of the BEREC Opinion¹⁵.

Moreover the work on two other phase II investigations (Case CZ/2021/2351¹⁶ and Case DK/2021/2346¹⁷) was launched already in 2021, but carried-over to 2022, when the work of the established WGs was finalised with a preparation of the BEREC Opinions. The BEREC Office coordinated the work of the established WGs and also acted as Rapporteur for the latter case.

Furthermore, the BEREC Office regularly updated the Article 32 and 33 database on registered notifications and Phase II cases and updated the list of focal points yearly. In 2022 the BEREC Office made 63 records in the database of all Market Analysis notifications to EC.

On behalf of BEREC the BEREC Office launching in total **16 public consultations and calls for input**, envisaged in the annual BEREC Work Programme for 2022. The public consultations were launched to consult the stakeholders on the reports and guidelines under preparation by BEREC last year. In addition to launching the consultation and collecting the stakeholders'

¹⁴ [BEREC Opinion on Phase II investigation pursuant to Article 32 of Directive \(EU\) 2018/1972: Cases CZ/2022/2372 and 2373 - Wholesale local access provided at a fixed location in the Czech Republic. Wholesale central access provided at a fixed location for mass-market products in the Czech Republic](#)

¹⁵ [BEREC Opinion on Phase II investigation pursuant to Article 33 of Directive \(EU\) 2018/1972: Cases PL/2022/2370-2371 Market 3a/2014 and Market 3b/2014 – update of WACC parameters in Poland](#)

¹⁶ [BEREC Opinion on Phase II investigation pursuant to Article 32 of Directive \(EU\) 2018/1972: Case CZ/2021/2351 Wholesale access and call origination on public mobile telephone networks in the Czech Republic](#)

¹⁷ [BEREC Opinion on Phase II investigation pursuant to Article 32 of Directive \(EU\) 2018/1972: Case DK/2021/2346 Market for high capacity infrastructure in Denmark](#)

contributions, the BEREC Office also summarised the received contributions (Annex 1, Table 2).

Under this activity in 2022 the BEREC Office received and responded to 84 different **queries for information** from stakeholders and citizens, which is a significant increase comparing to the number of queries received in 2021 (+33%). These requests were made to explore and find out more about BEREC's activities and its WGs, including open Internet, roaming, remedies, benchmarking, cybersecurity, BEREC databases and other topics within BEREC's remit and daily activities. In addition, there were 13 requests for access to documents processed that related to the topics within the activities of the WGs (please see also Part II, section 9 Access to documents and data protection).

The BEREC Office prepared and disseminated a variety of BEREC **information and/or analyses on collected market data** relating to the objectives of the WGs (see more details in Annex I, Table 3).

Another highlight of 2022 worth mentioning is the work of the Roaming Working Group which on behalf of BEREC in reaction to the war in Ukraine started collection of data from NRAs and operators in March 2022 to which the BEREC Office has contributed actively, with the aim to monitor and analyse what has been implemented by operators in response to the crises. The Joint Statement¹⁸ signed between the European and Ukrainian mobile operators aimed to stabilise their efforts to reduce wholesale roaming charges and termination rates as well as to pass on the full benefits of the reduction of termination rates by Ukrainian operators to customers calling from the EU to Ukraine. In May, the WG continued with the second data collection exercise, with the aim of gathering more detailed information covering not only the retail measures applied by EU and Ukrainian operators but also the relevant wholesale measures agreed in the Joint Statement. The Joint Statement established a stable framework to help people fleeing the war in Ukraine stay in touch with family and friends back home and maintain access to information. The results of the data collection and its analysis are gathered in the **BEREC Analysis on monitoring of measures in relation to the war in Ukraine**¹⁹.

The BEREC Office produced regular draft reports on specific aspects of developments in the European electronic communications market, such as **the intra- European Economic Area communications report, International roaming benchmark report and the report on transparency and comparability of international roaming tariffs** (see more details in Annex I, Table 8).

¹⁸ <https://digital-strategy.ec.europa.eu/en/library/joint-statement-eu-and-ukrainian-operators-help-refugees-ukraine-stay-connected>

¹⁹ <https://www.berec.europa.eu/en/document-categories/berec/reports/berec-analysis-monitoring-of-measures-in-relation-to-the-war-in-ukraine>

Additionally, the BEREC Office assisted the BoR in preparing the **BEREC’s annual activity report and the reports** on market developments in the electronic communications sector (Annex I, Table 8).

To measure the key performance indicators (KPIs), "Quality of support to BEREC and its WGs", the BEREC Office consulted the BEREC Chair and the BEREC WGs co-Chairs on a quarterly basis through satisfaction surveys. The main objective of the BEREC Office was to timely provide efficient support to WGs in fulfilling their responsibilities. This objective was achieved by the provision of professional, financial, and administrative support to the WGs meetings, the organisation of public consultations, procurements, workshops, and the smooth operation of the BERECNet+.

The level of satisfaction of the BEREC Chair and the BEREC WGs co-Chairs was based on a five grade scale on the basis of multiple questions and the questionnaires used for the surveys are quite detailed and the set of questions may vary over the year depending on the current issues and circumstances. In 2022, the average participation rate was 40% and overall results significantly increase the target value (a minimum of 85% of responses are in the top 2 scores). In 2022, the KPIs on satisfaction for communication, response, support to WG meetings, and data collection exercise are above 90%. Satisfaction with the document pre-draft and general support reaches 85%.

The chart below presents the outcome of this assessment.

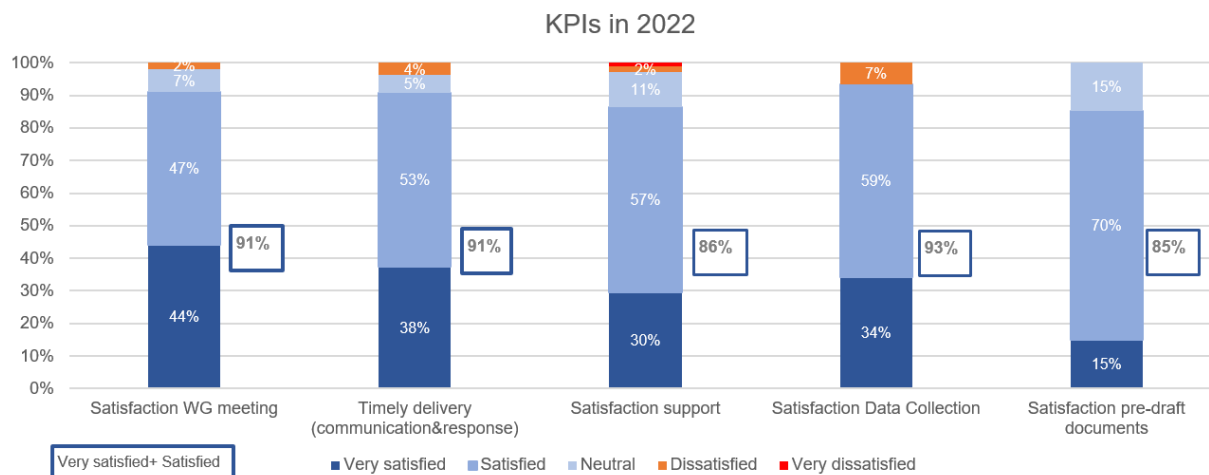
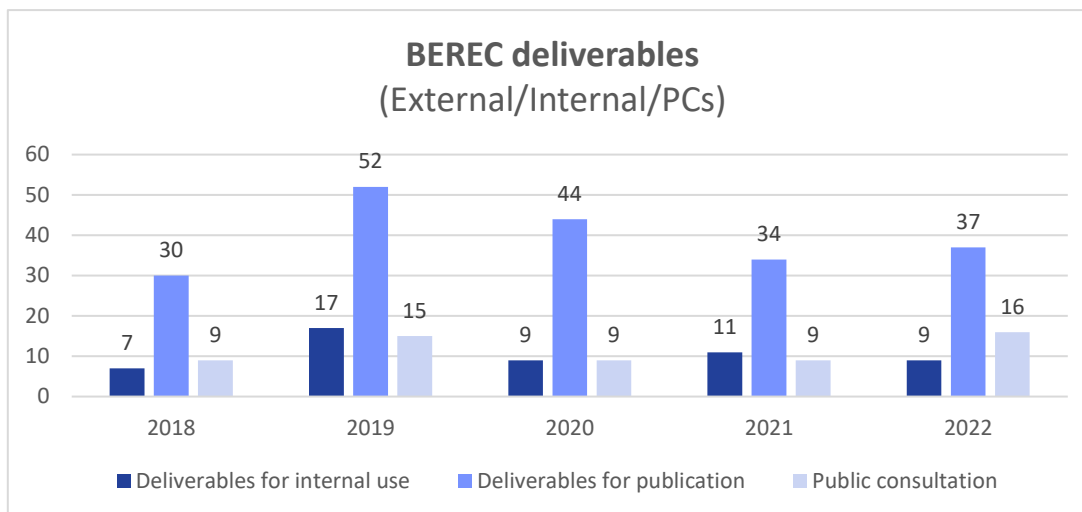


Figure 1 KPIs in details

The following graph presents the number of BEREC deliverables (internal and external) and public consultations provided over the past five years.



The **Table 1** below represents the summary of the support to BEREC WGs.

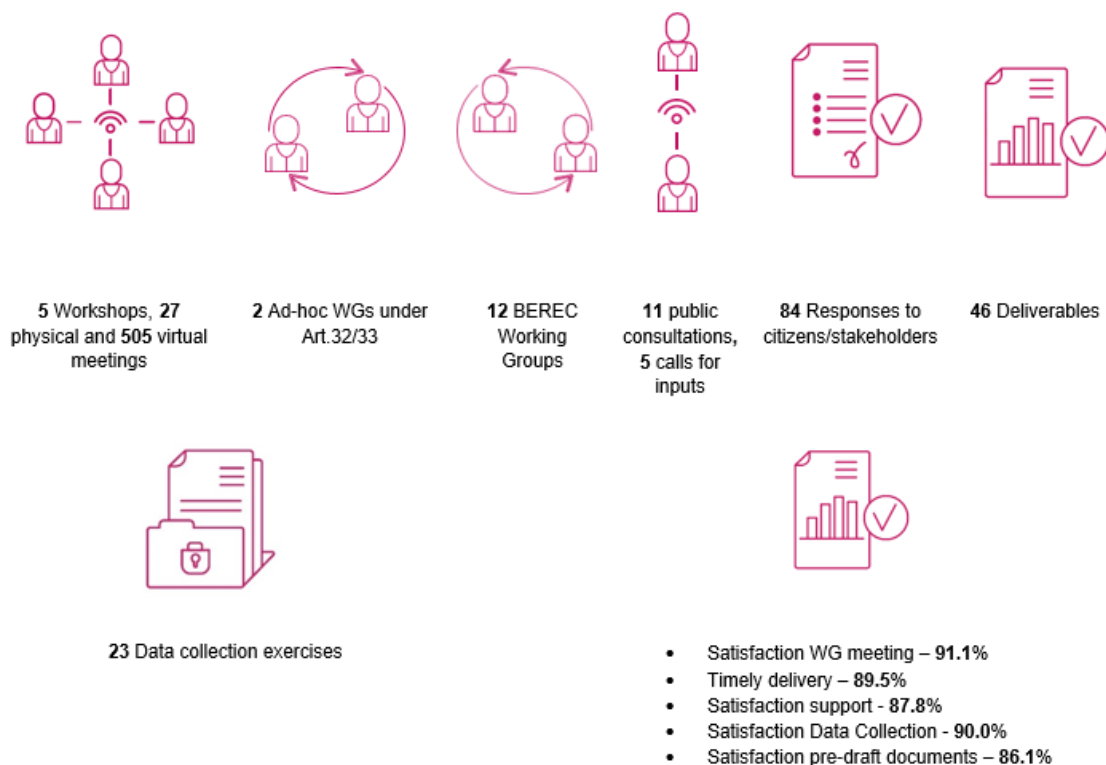


Table 1 Summary of deliverables provided under Support to BEREC WGs

2. High level meetings and support to the Boards

The total resources planned and used for the support to high level meetings and the Boards meetings are, as follows:

Resource type	Planned resources, as envisaged in the WP 2022	Resources used
Financial resources (EUR)	803,365.77	698,836.49
Full-time equivalent (FTE) posts	3.25	3.19

In the reporting period, the BEREC Office supported the organisation of 40 high level meetings and events, as follows:

- four BEREC Board of Regulators (BoR) and BEREC Office Management Board (MB) meetings;
- five Contact Network (CN) meetings;
- four BEREC Office Advisory Group (BAG) meetings;
- three high-level workshops and
- Twenty four Mini Board meetings.

In addition, the BEREC Office supported the organisation of 54 other events attended by the BEREC Chair and 17 international events (see Annex I, Table 4 and Table 5).

The BEREC Office also provided the secretariat for the BoR and the MB and their respective preparatory bodies, i.e. the BEREC Mini Board, the CN and the BAG.

The BEREC Office supported adoption of the Working arrangements concerning participation of the NRA from Ukraine in the work of BEREC that was signed on 9 December 2022²⁰ and allows the NRA of Ukraine to participate in the work of BEREC and BEREC Office as a participant without voting rights.

In the reporting period, the BEREC Office provided logistical support to all the above-mentioned meetings, including registration of meeting participants and the timely preparation and dissemination of meeting documents. It also reimbursed travel expenses of 301 experts participating in high-level events, amounting to EUR 237,418.89.

The BEREC Office also provided professional and administrative support services to the Chair/Chairperson for the organisation of BoR and MB electronic voting procedures when the

²⁰ [BoR \(22\) 206, Working arrangements concerning participation of the NRA from Ukraine in the work of BEREC, 9 December 2022.](#)

organisation of a meeting for adoption of the decision needed was not possible or practicable and the adoption of the decision could not be postponed until the next ordinary meeting. In total, 13 electronic voting procedures were organised for the BoR and 4 electronic voting procedures were held for the MB. A detailed list of the documents adopted by the MB, including via electronic voting procedures, can be found in [Annex VI](#).

To measure NRAs' satisfaction with the services and support provided by the Agency the BEREC Office convened two surveys among the BoR, MB, CN and BAG members. In both cases the BEREC Office got high satisfaction levels receiving respectively 95% and 93% of responses to 11 questions in the two highest marks.

3. Information and communication technology (ICT) support to BEREC

The resources planned and used for ICT support to BEREC are, as follows:

Resource type	Planned resources, as envisaged in the WP 2022	Resources used
Financial resources (EUR)	1,223,301	1,110,320.13
Full-time equivalent (FTE) posts	3.55	4.25

3.1. Information technology (IT) support, licenses, hardware and business continuity for BEREC

Throughout 2022 the IT support, licenses, hardware and business continuity for BEREC has been provided in a timely manner, based on BEREC needs. The Agency supported BEREC's operations by maintaining high availability of IT services, with availability ratio more than 99%.

In July 2022 the Agency has completed the development and deployment of a new corporate website backend and completed content migration. The new solution resulted in increase in the efficiency in the staff managing the backend in terms of enhanced content publishing and improved the end-user experience, for example via a redesigned search, multilingualism features, social media integration and others. This project was successfully implemented under interagency collaboration with the European Union Intellectual Property Office (EUIPO).

Moreover, all ICT services and system support have been delivered as initially foreseen, including different audio-video conferencing solutions/platforms for virtual collaborations, streaming and recording services, ICT security administration, Information system technological updates, IT support for the management of email distribution groups and managed security services for email communication system, backups and end-user support for all operational systems.

3.2. Information technology (IT) projects for BEREC

The **BERECNet+** platform is the common platform for the exchange of information between BEREC, the European Commission (EC) and national regulatory authorities (NRAs) according to Article 41 of the BEREC Regulation. The BEREC Office throughout 2022 allocated significant amount of resources linked to maintenance of the platform, the licences, the system infrastructure (including test environment), infrastructure related managed services, technical and security upgrades, back-up services and support to end-user requests.

According to the EEECC [Article 12(4)], in order to approximate notification requirements, BEREC was required to maintain an **EU database of the notifications transmitted to the competent authorities**. In order to provide and maintain the database, during 2022 the BEREC Office allocated the operational costs linked to the database, in particular, the licences, the system infrastructure (including test environment), infrastructure related managed services, the Advanced Web Application Firewall protection, technical and security upgrades, back-up services and support requests.

According to Article 16 of the Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union (Roaming Regulation), BEREC was requested by 31 December 2022 to establish and subsequently maintain two databases:

- a single, **Union-wide database of numbering ranges for value-added services in each Member State**, to be made accessible to operators, national regulatory authorities and, where applicable, to other competent authorities;
- a single, **Union-wide database of means of access to emergency services** that are mandated in each Member State and that are technically feasible to be used by roaming customers, to be made accessible to operators and national regulatory authorities and, where applicable, to other competent authorities.

The BEREC Office supported the development, testing, going into production and maintenance of both databases in short period of time under excellent and well developed collaboration with the European Union Intellectual Property Office (EUIPO) thus even further fostering the interagency collaboration.

In 2022 the BEREC Office completed two projects which contribute to the digital transformation of BEREC's activity, as follows:

- Digital Workplace vision and strategic roadmap for the future Digital Workplace projects focusing on the technologies and ways of working were defined during the workshops;
- Data protection impact assessment (DPIA) and IT Security Plan related to Microsoft Office 365 - in alignment with the Regulation (EU) 2018/1725 ("GDPREUI") and with

the Commission Decision 2017/46. This assessment was aimed to determine further use of O365 services and possible cloud migration strategies.

4. Information gathering and distribution

The resources planned and used for information gathering and distribution activities are, as follows:

Resource type	Planned resources, as envisaged in the WP 2022	Resources used
Financial resources (EUR)	587,066	569,410.14
Full-time equivalent (FTE) posts	0.75	0.51

4.1. Regulatory information and training for BEREC

The subscription to a regulatory intelligence services related to telecommunications and digital economy was renewed at the beginning of 2022. The subscription enabled the BEREC Office to receive regular updates on major EU developments of telecommunications regulation, market analysis and other important topics related to BEREC activities. This brought an additional value added to the work BEREC via the of BEREC Office staff directly supporting the BEREC working groups.

Furthermore, to increase the knowledge and competence of the BEREC and national regulatory authorities experts in 2022 the BEREC Office held two training courses on regulatory framework and communications issues and finalised the sustainability training launched in 2021.

All the courses were attended by a large number of BEREC experts and were considered as being very valuable for their work.

4.2. Studies and other projects for BEREC

The Agency finalised three procurement procedures and signed contracts for purchasing external studies, namely: on NRAs' independence, the Communication services for businesses in Europe: status quo and future trends and on Wholesale mobile access connectivity, trends and issues for emerging mobile technologies and deployments. The work is ongoing and the deliverables are expected in 2023.

Moreover one on the studies for which the contract was signed already in 2020, was finalised, namely the study on provision of evaluation and impact assessment services on the effect of electronic communications on the environment.

More detailed information on the studies is available below.

4.2.1. Information Sharing Portal

The Information Sharing Portal (ISP) is designed to complement the information available on the websites of the national regulatory authorities (NRAs). The ISP provides a one-stop access point to public documents in the field of electronic communications and ensures public access to a comprehensive, regularly updated list of documents. The ISP includes several sections and covers all categories of documents issued by NRAs for public use. The BEREC Office acts as an administrator of this portal and regularly promotes the links uploaded by the NRAs. Detailed statistics on this portal are available for different sections in Annex I. For instance, statistics are available on the number of uploaded links for each section of the ISP (Table 6), the links uploaded on the ISP by NRAs (Figure 4), the number of visits and page views on the ISP (Figure 5), the most viewed documents on the ISP (Table 7), and the number of visits to the ISP by country (top 25) (Figure 6).

4.2.2. Language Services for BEREC (CDT)

The translation services required for the functioning of the BEREC Office was provided by the Translation Centre of the Bodies of the European Union. The Agency has used the services of the Centre also in 2022 for proofreading of the BEREC documents intended for public use. Namely, in 2022, the language services were used for editing the BEREC Annual Reports 2021 and BEREC Work Programme 2023.

Upon request from BEREC, the language services is available further on to ensure high quality of BEREC documents.

4.2.3. Data sets for calculating the Weighted Average Cost of Capital (WACC)

The BEREC Office is required by BEREC to collect, exchange and transmit information between NRAs regarding regulatory tasks assigned to BEREC. The BEREC Office is also mandated to contribute to draft reports on specific aspects of the communications market, such as roaming and benchmarking of termination rates. Considering the amount and the complexity of the data collection, the BEREC Office has purchased and provided to BEREC data sets and database for the calculation of certain parameters underlying the WACC and other financial parameters.

In addition the BEREC Office has engaged with the contractor for the provision of training on the use of a specialised terminal for calculating the financial parameters underlying the WACC for legacy infrastructure. The services provided by the contractor allowed to monitor and analyse real-time financial market data. The training was provided to the BEREC Remedies Working Group experts during 2022.

4.2.4. Study on Environmental impact of electronic communications

The study on provision of evaluation and impact assessment services on the effect of electronic communications on the environment was ordered in 2020 and finalised in 2022. There were several specific contracts signed within this project that served as a support to BEREC and its member NRAs for the identification and development of initiatives, within their competences and

field of expertise, which would allow them to limit the adverse environmental effects of the sector on the environment.

4.2.5. Study on NRAs' independence

In line with the annual work programme of BEREC in 2022 the BEREC Office commissioned an external study to analyse and describe NRAs' independence in different sectors and the evolution of the legislative requirements with respect to NRAs independence requirements. The study concentrated on five categories of topics related to NRAs' institutional layout with a focus on the independence features such as (1) the foundation of the doctrine of independent sectoral NRAs, (2) general overview of independence of NRAs in different sectors, including electronic communications, (3) analysis of former NRAs independence- related cases in the EU, (4) the evolution of NRAs independence requirements in the European sectoral electronic communication legislation and (5) competences and safeguards for NRAs independence in the Member states.

The contractor presented the results of the study in a workshop to BEREC experts in September 2022. The final report was approved by BEREC at the end of 2022 and was subsequently published²¹.

4.2.6. Study on Communication Services for Businesses in Europe: Status Quo and Future Trends

To deepen the knowledge of BEREC of the situation on the EU market for electronic communications, and in particular to provide the national regulatory authorities with a comprehensive understanding of both the demand side and the supply side of communication services for the businesses, the BEREC Office commissioned an external study on the subject.

The aim of the study was to provide a European view on the characterisation of the business demand for electronic communication services (ECSs) with a focus on both the current situation and the future trends in the next 2-3 years.

The study has characterised the nature and evolution of demand for different types of business customers and trends in competition among traditional ECS providers and competition/cooperation between ECS providers and relevant service providers offering IT services.

The contractor presented the final deliverable during the fourth Contact Network meeting and the last BEREC ordinary meeting in December 2022. Following the approval of the final report by BEREC it was released to the public²².

²¹ See, <https://berec.europa.eu/en/document-categories/berec/reports/study-on-the-nra-independence-final-report>

²²See, <https://berec.europa.eu/en/document-categories/berec/others/external-study-on-communication-services-for-businesses-in-europe-status-quo-and-future-trends>

4.2.7. Study on wholesale mobile access connectivity

In 2022, the BEREC Office also signed a contract for a study on wholesale mobile access connectivity, trends and issues for emerging mobile technologies and deployments (BEREC/2022/OP/0003).

The general objective of the external study was to provide the necessary insights on this topic observing that new business models may also depend on the level of competition.

Investigations of the competitive dynamics are therefore important with a view to (1) connectivity, (2) sustainable competition and (3) end-user choices. In accordance with BEREC's role as a body for reflection and advice and with Article 4.1(a) of the BEREC regulation, the purpose of this study is to examine the range of possible roles and capabilities for NRAs in designing the right conditions to improve digital inclusion for all citizens.

The work on this project is still ongoing and the deliverable and the final report of the last specific contract is to be approved by the BoR in 2023.

4.2.8. Advanced gateway for meetings (AGM)

The BEREC Office concluded a Service Level Agreement (SLA) with the European Commission (EC) Office for Administration and Payment of Individual Entitlements (PMO) for the use of the AGM tool in order to automate the meeting registration and expert reimbursement process.

All physical BEREC meetings²³ organised by the BEREC Office in 2022, amounting to 71 in total, there were managed through the AGM tool, incl. the reimbursement of the expenses to the experts participating in those meetings.

To enable the experts from the national regulatory authorities (NRAs) to use the full potential of the tool, BEREC Office continuously disseminated information regarding the usage of the tool and provided the necessary assistance required by experts, incl. for the launch of 2-factor authentication (2FA)²⁴. In 2022 the BEREC Office processed 535 reimbursements through the tool to experts participating in BEREC meetings, which has proved to ensure streamlines processing of reimbursement and has made the execution of payments to the NRAs rather faster.

The **Table 2** below represents the summary of activities performed under information gathering and distribution.

²³ These are meetings organised through the AGM tool, such as CNs, BoRs meetings, BEREC Chair's events, International travels, WG meetings, ENG's meetings and other events organised by the BEREC Office for BEREC throughout 2022

²⁴ Used by the tool for security reasons

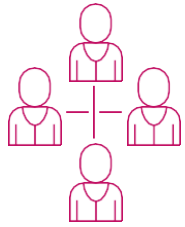




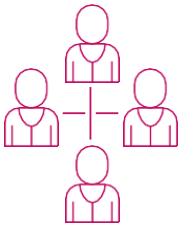
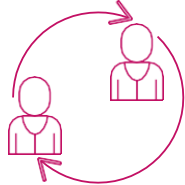
			
2 Training courses for NRA experts	Subscription to regulatory intelligence services	IS Portal	3 Studies
			
WACC data sets	535 reimbursements via AGM	2 CDT translations/proof-readings	

Table 2 Summary of information gathering and distribution

5. Expert Networking Groups (ENGs)

In accordance with Article 12 of the Rules of Procedure of the BEREC Office Management Board (MB), the MB created three ENGs to provide expertise on specific matters requested by the BEREC Office in support of BEREC.

In 2022 the following ENGs were operational:

- 1) ENG of information and communication technology (ICT) experts;
- 2) ENG of communications experts;
- 3) ENG on sustainability.

Where the BEREC Office requires additional expertise on a particular subject, additional ENGs can be created by MB decision on an ad hoc basis. Any request for establishing additional ENGs shall describe the purpose of the ENG, the relevant area of expertise of the ENG members, and the duration of its mandate.

5.1. ENG of ICT expert

In 2022 the ICT ENG organized one hybrid workshop (held in Brussels) to foster the cooperation and recap the planned and ongoing activities for the current year with a focus and the contribution on the following subjects:

- Preparation of a document consisting of main considerations and suggestions for the improved BERECNet+ user management, including:
- Organization of survey among the national regulatory authorities (NRAs) in order to evaluate the current usage of multi-factor authentication, corporate devices and the respective policies - state of play

The ICT ENG assessed and analysed the results of survey and took them into account for the creation of a report.

The work of ICT ENG contributed to the successful closure of the activity delivering a final report on BERECNet+ user access which was presented to the BEREC Office Advisory Group (BAG).

This report was the main input for the analysis and the development of different scenarios for the implementation of Multi-Factor Authentication of BERECnet+ and preparation of decision of the MB in this regard.

During 2022, the ICT ENG held 11 virtual meetings by collaborating on different activity streams and sharing the experience and the best practices among the NRAs.

5.2. ENG of communications experts (Comms ENG)

In 2022 the Comms ENG, with the support of the BEREC Office, continued its efforts towards the objectives of the BEREC External Communications Strategy, namely:

- Activate engagement to encourage knowledge exchange between the communications staff of all the BEREC members;
- Enhance BEREC's digital presence;
- Increase awareness and reputation by running communications campaigns that support the organization in achieving its policy objectives.

The Comms ENG achieved the objectives mentioned above with carefully planned activities described in section 6. BEREC Communications activities, as well as by having five hybrid full Comms ENG meetings, apart from bi-weekly Core Group meetings. During the meetings, the Comms ENG members fostered cohesion, knowledge exchange, and shared best practices. It was complemented by shared communications resources and virtual working space to facilitate interaction and collaboration. In addition to the organizational support of the Comms ENG day-to-day work and meetings the BEREC Office also organized training sessions on the issues relevant to the current telecommunications industry, such as Digital Markets Act, fair share, sustainability and others.

The BEREC Office also organised several training sessions to improve the professional capacities of the Comms ENG members, enhancing their skills in public speaking and the use of social media in corporate communications.

The BEREC Office assisted Comms ENG experts in developing and drafting the annual Communications plan that is an integral part of the BEREC External Communications Strategy and the BEREC's Work Programme. These supporting activities ensure the continuity of the Comms ENG work also for the following year.

5.3. ENG on sustainability

In 2022, after renewed resource commitments from NRAs, the ENG Sustainability's support staff organised one full group meeting and, in the run-up to the meeting, updated the previous estimation of GHG/CO2 emissions resulting from the operations of BEREC and the BEREC Office for the calendar years 2019-2021. In addition to that, the BEREC Office provided background research into the greening activities of EU institutions and bodies, and prepared a draft presentation that is serving as a working document for the ENG.

Furthermore, the BEREC Office has signed the inter-institutional framework contract for "Consultancy and management of greenhouse gas emissions offsets" with EUIPO, which might be helpful in further BEREC Office work in this regard.

Internally, the BEREC Office support staff of the ENG has been preparing initial steps for an internal process within the BEREC Office to establish a cross-unit taskforce that may manage and steer the EMAS and greening process in-house.

6. BEREC communications activities

The total resources planned and used for support to BEREC communications activities are, as follows:

Resource type	Planned resources, as envisaged in the WP 2022	Resources used
Financial resources (EUR)	700,734	683,541.82
Full-time equivalent (FTE) posts	2.38	3.72

The BEREC Office is actively involved in supporting the implementation of the BEREC Work Programme and 2022 annual Communications plan. In accordance with these documents the BEREC Office organised a number of communications activities to strengthen the perception of BEREC as an impartial, independent, European, forward-looking expert body and assist in achieving BEREC's strategic objectives, as demonstrated below.

6.1. Organisation of the BEREC public events

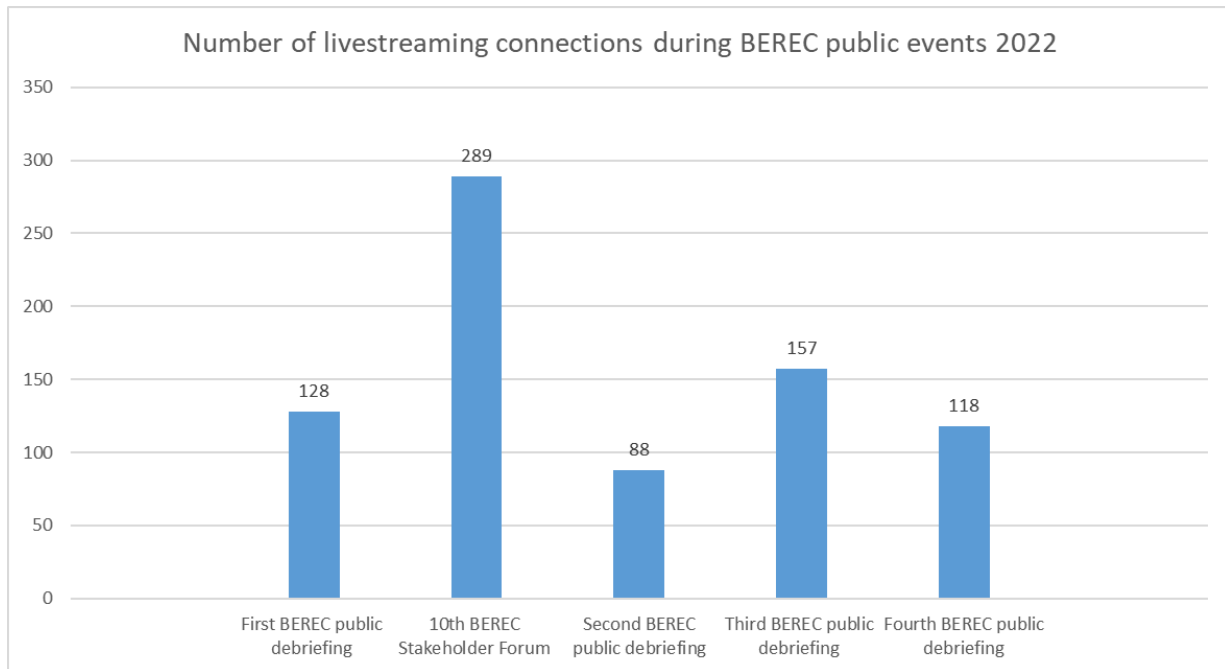
On 23 March 2022, with a record high number of participants (471 in total out of whom 211 participated in the event physically), the BEREC Office held the 10th BEREC Stakeholder Forum, which is the annual, major hybrid BEREC public event. The BEREC Office organised the event into two parts, as follows: the first part was the so-called *Meet&Greet* event during which the stakeholders had the opportunity to discuss major policy related topics with the BEREC Working Group (WGs) Co-chairs and the second part was a high-level conference. In 2022, the topics of the BEREC Stakeholder Forum focused on the BEREC Work Programme 2023 and strengthening the stakeholder engagement as a key element in the decision making process of BEREC. During the panel discussions, the speakers engaged with the audience on the recent developments and future trends of the artificial intelligence and the regulation of digital platforms for effective enforcement of the Digital Markets Act. The BEREC Stakeholder Forum was livestreamed on the BEREC website

For higher transparency and enhancement of stakeholder engagement, the BEREC Office organised four public debriefings – the events, where the BEREC Chair and the WGs Co-chairs presented and explained the documents adopted during each BEREC ordinary meeting. The stakeholders had the opportunity to participate physically and/or follow the event's livestreaming with the possibility of interacting with the speakers also remotely.

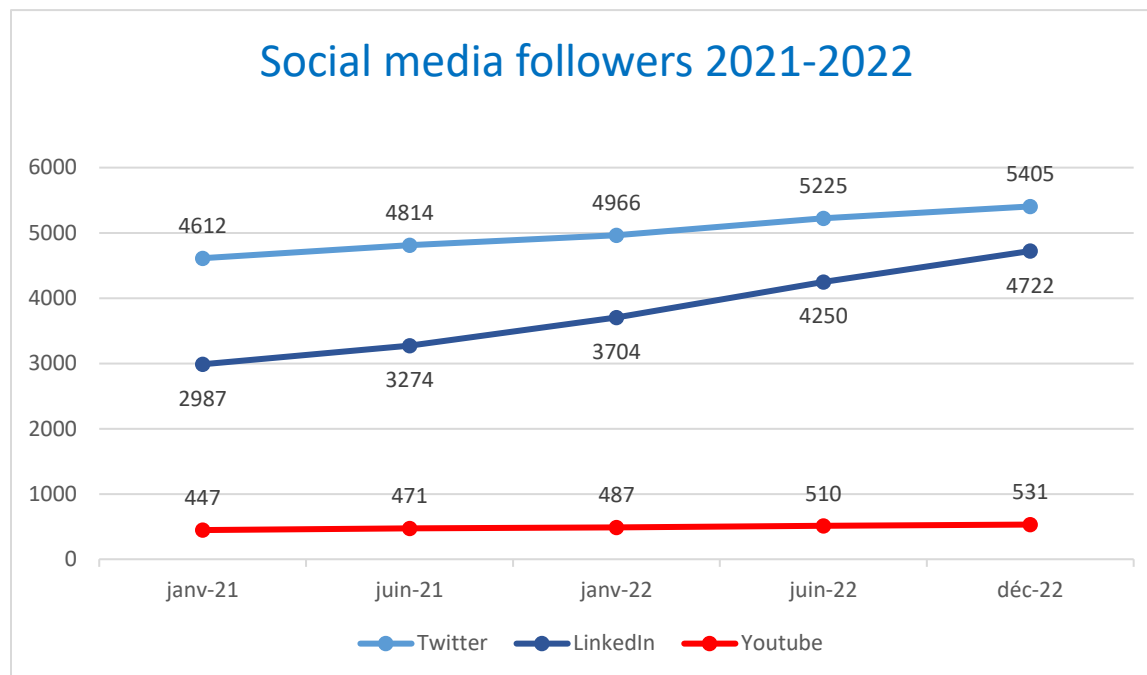
The BEREC Office ensured a smooth organisation of all the BEREC public events in 2022 and received high appreciation from the BEREC Chair and the stakeholders.

In the internal survey (to the Board of Regulators, Management Board, Working Group Co-chairs and the BEREC Office Advisory Group) that is issued every half year to measure the satisfaction level regarding the BEREC Office support (logistics) in organizing the BEREC public events, such as Stakeholder Forum and public debriefings was assessed with 4.58 on average, on the 5-grade scale, where 1 signifying 'very dissatisfied' to 5 'very satisfied'.

As all the BEREC public events were livestreamed on either BEREC website or additionally on other platforms with possibility to interact, in 2022 the events organised by the BEREC Office reached the record high number of connections to the livestreaming as illustrated in the graph below.



The successful BEREK public events strengthened BEREK's digital presence. The social media campaigns that accompanied the public events, the BEREK Chair external engagements as well as the other BEREK public events, such as workshops with the stakeholders, helped to increase the number of followers of the BEREK social media accounts that the BEREK Office manages. In 2022, the most significant increase in the number of followers was for BEREK's LinkedIn account, which rose by 21%. Overall, also the stakeholder engagement (sharing, liking, commenting, and mentions) on the content published by BEREK on its communications channels has grown.



The BEREC Office was actively involved in executing the following projects foreseen in the **BEREC Communications Plan 2022**:

6.2. New BEREC and the BEREC Office visual identity

New BEREC and the BEREC Office visual identity – the BEREC Office, in close cooperation with the Comms ENG, developed the new BEREC and the BEREC Office visual identity that consists of new logos, document templates, colour codes, documents style guide and the brandbook, to ensure a fresh, more coherent and unified branding of both organizations and as a result, also this type of appearance on its communications channels.



OLD

BEREC Office is an agency of the EU 

NEW



6.3. New design of the BEREC website

With the new BEREC visual identity, the BEREC Office continued its work on development of the new BEREC website design and an update of its content. The revamp of the BEREC website design is a major project, initiated at the end of 2021 and involving the Comms ENG. It started with a market research, user experience (UX) and user interface design (UI) analysis that guided the structural change of the website. Following the Research Phase, and based on its outcomes, the high-fidelity wireframes and the necessary website design templates (for desktop & mobile view) were created. The new website design aims to comply with the Level AA accessibility criteria²⁵ of the WCAG 2.1 and foresees also the possibility to ensure the multilingualism. The creation of the website design went hand-in-hand with the content development. Steps undertaken include a thorough content audit, the creation of a Content Concept Paper to streamline future static website content, the drafting of improvements for the current static website content as well as the text for possible new website sections, preparing audio-visual materials, etc. The BEREC website revamp is a multiannual project, continuing in 2023.

- **Faces of BEREC** – [12 short video clips](#) with the BEREC Working Group Co-chairs were developed explaining the scope of their work and the benefits to the end users in Europe. The video clips were the essential material of the social media campaign to strengthen the BEREC's digital presence, introducing stakeholders with the variety of BEREC working topics, as well as showing people behind this work. The video clips are available

²⁵ AA is a second level out of three accessibility standards and is covering the most common accessibility aspects/issues that are faced by visitors of a website with any kind of impairment or disability. When covering AA, also A is covered.

on the BEREC social media accounts and were prepared with a view to reuse them for other social media campaigns and to complement the content of the BEREC website.

6.4. Other communication activities in support to BEREC

During the reporting period, the BEREC Office also provided its support to BEREC in its **day-to-day** communications activities, such as drafting news items and press releases on the work of BEREC and the documents adopted, as well as covering the BEREC Chair's external engagements. The drafted communications items were promoted on the official social media accounts of BEREC, namely, Twitter and LinkedIn, and through various newsletters to the subscribed stakeholders and media representatives.

The BEREC Office communications efforts supported the organisation of the dedicated BEREC WG **workshops** throughout the year, produced and launched the corresponding promotional campaigns on social media and, if necessary, ensured engagement between stakeholders and speakers during the workshops.

The BEREC Office regularly **updated the information on the BEREC website** by publishing latest updates. It also maintained the mailing lists of website subscribers', media representatives and stakeholders. Upon request and according to the projects set out in the annual Communications Plan, the BEREC Office actively interacted with stakeholder and media representatives.

In 2022, the BEREC Office developed a **digital design version for the [BEREC Annual Reports 2021](#) and the [BEREC Work Programme 2023](#)**, and published both versions on the BEREC website. At the end of 2022, the BEREC Office produced and distributed the annual calendars to the stakeholders and BEREC members.

Part II: Management

1. Management Board

In 2022 the BEREC Office Management Board (MB) held four ordinary meetings, during which it discussed different topics related to the functioning of the BEREC Office. In addition, the Chairperson of the MB organised four electronic voting procedures for the adoption of BEREC Office documents in accordance with a preliminary plan. The full list of electronic voting procedures and information about their outcomes is available in Annex VI, Table 1.

As required by Article 3 of the Rules of Procedure²⁶, all decisions taken by the MB during its ordinary meetings or through the electronic voting procedures were reviewed by the BEREC Office Advisory Group (BAG). The BAG's opinions were approved either electronically or during meetings organised by video-conference (four in total – see Annex I, Table 5). The BAG did not organise any physical meetings.

As a result of these events, in 2022 the BEREC Office MB adopted 10 decisions, one opinion concerning the financial accounts of the BEREC Office for 2021, the Consolidated Annual Activity Report for 2021 and the Single Programming Document of the Activities of the BEREC Office for the period 2023-2025, draft Single Programming Document of the Activities of the BEREC Office for the period 2024-2026 and BEREC Office Budget and Establishment plan 2023.

The full list of all public documents adopted in 2022 by the MB is available in Annex VI, Table 2.

2. Major developments

In 2022, as the first after-pandemic year, the work of the BEREC Office continued to be impacted by the restrictions / lift of restrictions imposed in relation to COVID-19, which was the main driver of the uncertainties in the Agency's activities, specifically in term of supporting BEREC events. Nevertheless, similarly to 2022, the Agency used all flexibilities available and ensured the best possible support to BEREC with the limited financial and human resources available to the BEREC Office, incl. via redirecting them in accordance with the changing priorities.

However, while recovering from the pandemic, Europe and the BEREC Office needed to face another crises related to the Russian invasion in Ukraine, which affected extremely negatively the host country of the BEREC Office – the Republic of Latvia.

The management took all necessary measures to alleviate the negative impact of this crises and to ensure the smooth functioning of the Agency as much as possible taking into account the new security challenges, the energy crises caused by the war in Ukraine and the subsequent high inflation in the Republic of Latvia.

²⁶ MB (19) 95Rev.1 '[Rules of Procedure of the Management Board of the BEREC Office](#)'.

Specifically the major developments in 2022 include the following:

2.1 War in Ukraine and its implication

The war in Ukraine affected the work both of BEREC and the BEREC Office. Specially, following the Russian invasion of Ukraine, BEREC with the support of the BEREC Office, closely followed the telecommunications sector's response to the crisis and the measures provided to refugees from the war in Ukraine voluntarily by EU operators. Based on data gathered by the BEREC Office from EU and Ukrainian operators about the applied retail measures a Joint Statement was agreed, which established a stable framework to help people fleeing the war in Ukraine to stay connected with their families and friends back home and maintain access to information. The war in Ukraine which commenced on 24 February 2022 had direct implications towards the way the BEREC Office continued to carry out his activities. In order to carefully monitor to developments regarding how the war unfolded a Crisis Task Force has been immediately setup in the BEREC Office to consider measures to be taken and to be prepared to promptly assess and mitigate risks related to the security of the staff and the premises. The work of the Crisis Task Force Team is based on the established risk assessment and the action plan, which is updated and monitored during the biweekly meetings by reacting on the current security developments in the Member State and the region.

As part of the revision of the contingency plans of the Agency an evacuation exercise was performed in June 2022. The outcome served as a first step for the renewal of the business continuity plan. The BEREC Office established contacts with the European Commission (EC) competent services regarding security and regularly monitored the war developments. For the purpose of exchanging information and discussing and sharing best practices the collaboration with the EC Representation and the European Parliament Liaison Office in Riga was also strengthen. In addition, a hot line network with the EU agencies in the region has been established for collecting of all relevant data on potential risks and sharing information on any major security developments.

At national level the BEREC Office established fruitful collaboration with the relevant Latvian authorities to enable the Agency to obtain regular information about the changes in the local situation generated by the war.

Physical security at the BEREC Office premises was upgraded by fortifying the windows facing the street and reducing the possibilities for accessing the internal courtyard. In addition the security service was also strengthened by the introduction of a 24/7 security surveillance on-site. To ensure the safety and security of its staff the BEREC Office decided to rent additional space in the cellar space amounting to 158 m² which has been fully refurbished in order to be used as a bomb shelter in case of unforeseen circumstances.

Enhancing safety of the staff in order to ensure the delivery of the mandate and business continuity was also considered. As a result continuous teleworking was made available until the end of August 2022 upon request and by derogation from the rules not only in Latvia or the

country of origin, but also from other locations considered by the staff as safe.

One of the direct and immediate consequences of the war in Ukraine was the high inflation rate in the host Member State, which rose steeply during the course of the reporting period. As a result, in June 2022 there was an intermediate update of the remuneration followed by the year end regular update of the remuneration in conjunction with a significant increase of the correction coefficient from 80% to 85,9%. Due to the fact that in Latvia the inflation rate as determined by the EUROSTAT was higher than 10%, the retroactive effect of the regular year end update of the remuneration was applicable since 1st of May instead of 1st of July. The high inflation was also reflected in the utilities prices which also rose significantly during 2022.

2.2. Relations between the BEREC Office and the Government of the Republic of Latvian authorities

In accordance with the provisions of the Headquarters Agreement (HQA) the BEREC Office and the Government of the Republic of Latvia concluded the Service Level Agreement (SLA) which entered into force on 16.06.2022. The new SLA further detailed the provisions of the HQA and established in practice the working arrangements between both parties for the implementation of the HQA, such as:

- the functioning of the Liaison Office established by the Latvian Government in support to the BEREC Office and its staff;
- the modalities concerning joint procurement procedures with the Latvian Government;
- the procedure for the contribution towards the schooling costs paid by Agency in the Republic of Latvia as a temporary measure before the establishment of an accredited European School, in particular taking into account the fact that the commitment of the Latvian side to establish an accredited European School by the school year 2022/2023 did not materialize and others.

The establishment of the Liaison Office in June 2022 brought also certain benefits for the staff in relation to facilitating the integration in Latvia of the new comers and their families (incl. the provision of an induction programme), practical and procedural support in applying for VAT exemption, car registration, opening of bank accounts and facilitating the relations with the schools and the local authorities.

While there has been a very good progress in providing the necessary conditions for ensuring the smooth and efficient functioning of the BEREC Office by the host Member State, a point of concern remains the delay in the establishment of accredited European school, for which there has been no visible progress in 2022.

The BEREC Office remains committed to support the competent authorities of the host Member State in their endeavours to advance the project and will recall at each occasion the importance of this measure both for the BEREC Office and for the local community.

2.3 Introduction of new ways of working

Based on the experience of the massive telework during COVID-19, already in 2021 the BEREC Office started considering the possibilities of new ways of working, including by making more use of telework by the staff (e.g. the so called hybrid working).

Taking into account that the necessary IT infrastructure allowing massive telework had already been put in place in 2022 the BEREC Office focused on re-organising its physical environment and modernising its legal framework.

As a consequence, in April 2022 the BEREC Office introduced new approach to managing the working places at the Agency in line with the principles of shared desk policy by creating new activity-based working areas (incl. flexible work areas for collaborative work and areas for silent work).

As of 1 July 2022 the BEREC Office introduced the European Commission (EC) Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working, which allows for up to 60 % for telework.

This Decision also promotes a modern, digital and flexible working environment, to protect staff's health and wellbeing, enhance efficiency and improve work-life balance. Furthermore, it recognises that more teleworking would contribute to reducing CO² emissions arising from staff commuting and the resulting congestion, particularly for those who drive to work, and would therefore contribute towards supporting the EC's efforts, under the European Green Deal, to become climate neutral by 2050.

As a consequence, the BEREC Office also revised the number of its work places and decided to reduce the number of its desks compared to the number of the persons working on-site in 2022 with 40 %.

To enable the staff to adjust to the changes brought by the afore-mentioned decisions at the end of June-beginning of July 2022 the BEREC Office organised an all Agency training on the new ways of working facilitated by external moderators hired under and DG HR framework contract.

2.4. Project for new BEREC Office premises

The BEREC Office revised its space programming to take into account the new rules on hybrid working applicable to the Agency since 1 July 2022 and further reduced its needs for office space by maintaining a ration of the number of desks compared to the number of persons working on-site at the level of 60 %. The difference between the current leased area and the future programming takes additionally into account the fact that the BEREC Office will share with the EP and the EC a common security area and a conference facility.

While several different buildings have been shortlisted in the past until end of 2022 there has been no decision on the final short list of candidates to be invited to the procurement procedure.

Therefore the BEREC Office will continue to cooperate with the lead contracting authority in a constructive manner and to provide all the information needed from the Agency, which could bring the project to a success.

2.5. Further digitalisation of the Agency and strengthening of its cybersecurity

The efforts for further digitalisation of the BEREC Office continued in 2022 with the objective gradually to make the Agency a smart and paperless Agency.

To ensure adequate response to the global security threats and, in particular, those associated with the war in Ukraine, in cooperation with CERT-EU and other partners special attention was paid to the IT security.

Additionally, as of 2022 the BEREC Office put into operation the EC services Public Procurement Management Tool (PPMT). All procurement procedures with the exception of reopening of competition have been managed via the PPMT, which increased the efficiency of the management of the procurement procedures, the quality of documentation and the completeness of the files.

Furthermore, in order to maximise the use of the new IT tool for Activity based budget management, as well as to synchronise the costing and planning modules with the day-to-day budget management, in 2022 the BEREC Office introduced two additional modules in the tool, namely Commitment and Payment Management, and Commitment Planning.

As per the agreement with the EC services in 2022 the BEREC Office continued the deployment of additional modules of the EC human resources management tool, more information which is available in 7.3.b below.

The agency also initiated a process of acquiring the qualified digital certificates, the provisioning of qualified digital sealing certificate (that could be used in EC's Document Management System –Ares), as well as the services provided by the EU Sign Web platform, which will guarantee full digitalisation of the signature of public contracts thus eliminating the need both for the Agency and for the contractors to print and dispatch paper copies. Taking into account the significant number of contracts signed by the Agency per year (around 200), this action will have also positive impact on the environment protection.

2.6. BEREC Office external communication

In 2022, after the COVID-19 pandemic, BEREC Office restarted external communications with participating in various activities to raise awareness of BEREC and the BEREC Office among citizens in our hosting country Latvia.

As part of the Europe Day, on 6 May 2022 the BEREC Office participated at the event organized by the European Commission representation in Latvia and the EU House, with the aim to

strengthen the knowledge and understanding of the European values, cultural diversity, and opportunities that the European Union brings.

17 May is the World Telecommunication and Information Society Day, and to mark this occasion, together with the Embassy of France in Latvia (France being the presidency country of the Council of the EU at that time), the BEREC Office organized a reception to raise attention to digital technologies for older people and healthy ageing, and to stress the importance of the accessible telecommunications at these times.

The BEREC Office hosted a student's visit from one of the universities in Riga, who were interested to know more about the EU institutions, BEREC and the BEREC Office, and the work and traineeship opportunities in our Agency.

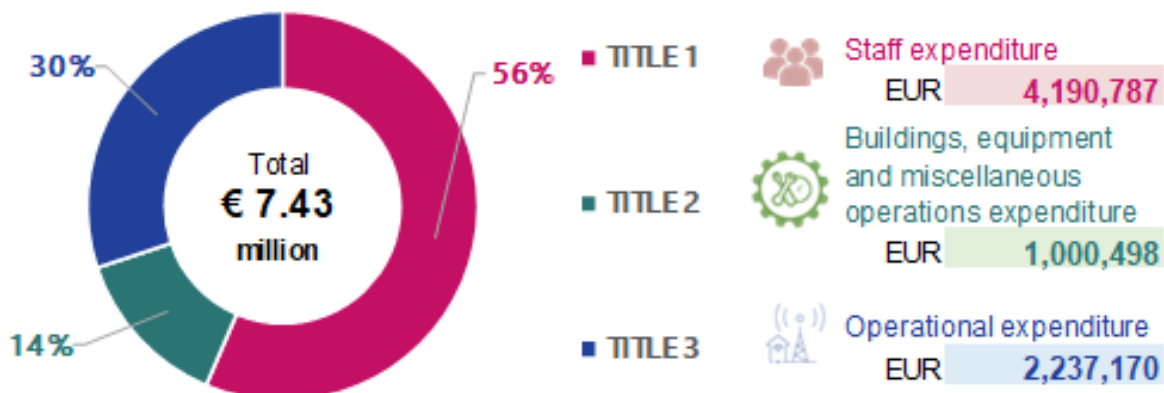
In November, the Eastern Partnership Electronic Communications Regulators Network (EaPeReg) together with BEREC organized a joint summit on future perspectives of cooperation in Riga, Latvia. For this occasion, the BEREC Office organized a networking reception.

At the end of 2022, the BEREC Office traditionally participated in the charity event - Charity Bazaar, organized by the International Women Club of Riga. The BEREC Office continued to provide the event organizers a dedicated online auction platform. As the COVID-19 restrictions were lifted, the event was organized also physically, where the BEREC Office provided the photo booth and popcorn for the attendees.

3. Budgetary and financial management 2022

3.1. Budget 2022 in figures

BEREC OFFICE BUDGET 2022



KEY FINANCIAL FIGURES FOR 2022

Commitment appropriations accepted (%)		Revenue cashed	
7,427,409 EUR	99.99%	EU 7,428,457	100.00%
		OTHER 134,548	
		7,563,005	
Payment appropriations accepted (%)		Consumption of carry-over commitments(C8/2022)	
3,987,111 EUR	95.14%	216,297 EUR	97.45%
766,647 EUR	76.63%	561,696 EUR	96.45%
1,395,152 EUR	62.36%	1,444,549 EUR	97.61%
6,148,910 EUR	82.78%	2,222,542 EUR	97.30%

3.2. Revenue




The Budget of the BEREC Office for 2022, as adopted by the MB and approved by the budgetary authority, stood at EUR 7,428,456.00, consisting of:

Revenue type	Voted revenue by MB	Revenue cashed
1. EU Subsidy	7,428,457	7,428,457
2. Third countries contribution (incl. EFTA and candidate countries)	p.m.	0
3. Other contributions (Member states, NRAs, etc.)	p.m.	123,333
4. Administrative operations	p.m.	11,215
<i>Of which interest generated by funds paid by the Commission by way of the EU contribution</i>	0	0
TOTAL	7,428,457	7,563,005

Apart from the EU subsidy 2022 voted in the budget the BEREC Office additionally cashed EUR 123,333.00 as a voluntary contribution from the host Member State (Latvia) to the BEREC Office Budget to cover partially the schooling fees of the children of the BEREC Office staff in line with the Service Level Agreement with the Latvian Government. The BEREC Office also collected EUR 11,214.72 as Administrative operations and miscellaneous income. The contribution from the Latvian side and the revenue from administrative and miscellaneous operations were assigned to the respective concerned budget lines.




3.3. Expenditure

The execution of commitment and payment appropriations by budget titles in 2022 is as follows:

Expenditure	Credit Available, EUR	Commitments Accepted, EUR	% Committed	Payments Accepted, EUR	% Paid
TITLE 1 	4,190,787.49	4,190,787.49	100%	3,987,111.49	95.14%
TITLE 2 	1,000,498.43	999,857.05	99.94%	766,646.53	76.63%
TITLE 3 	2,237,170.08	2,236,764.01	99.98%	1,395,152.41	62.36%
TOTAL	7,428,456.00	7,427,408.55	99.99%	6,148,910.43	82.78%

The budget implementation in 2022 in commitments (99.99%) and payments (82.78%) was the highest within the last 5 years.

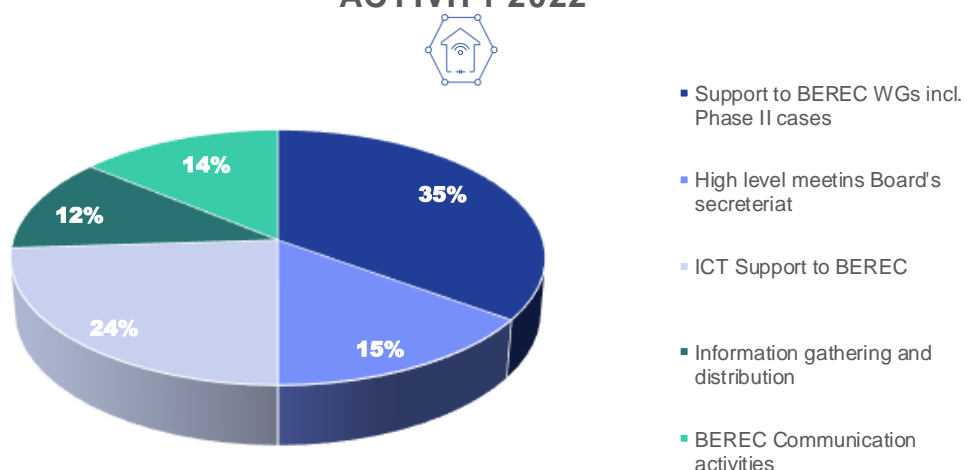
The BEREC Office has also reported good figures in relation to the cancellation of the amounts to be carried forward (C8/2020 credits), with a cancellation rate of **1.37%**, as follows:

Title / fund source	Payment/Commitment appropriations	Payments made	Cancellation Payment appropriations (EUR)	Cancellation %
TITLE 1 /C8 	219,128.15	216,296.95	-2,831.20	1.29%
TITLE 2 /C8 	572,018.94	561,696.17	-10,322.77	1.80%
TITLE 3 /C8 	1,462,243.42	1,444,549.08	-17,694.34	1.21%
TOTAL	2,253,390.51	2,222,542.20	-30,848.31	1.37%

3.4. Operational expenditure

To ensure the delivery of its core mandate in 2022 the BEREC Office spent EUR 4,719,369.61, which were used to fund the following operational activities:

OPERATIONAL BUDGET (%) PER OPERATIONAL ACTIVITY 2022



For a detailed breakdown of human and financial resources by operational activity, see Annex V.

More information on the budget execution is provided in the BEREC Office Report on budgetary and financial management (RBFM) 2022, available on the BEREC Website:

<https://bereg.europa.eu/en/document-categories/bereg-office/budget-of-the-office/reports-on-the-budgetary-and-financial-management/bereg-office-report-on-budgetary-and-financial-management-2022>

The report provides detailed information on:

- the general context and legal framework
- the results of the implementation of the budget in 2022

3.5. Budgetary transfers

During 2022 the BEREC Office carried out five transfers of appropriations allowed by the BEREC Office Financial Regulation in order to ensure the best use of the financial resources available to the BEREC Office in the light of the challenges for the year, namely the war in Ukraine, the high inflation in the host member state and the energy crises in Europe, caused by the Russian invasion in Ukraine. Four transfers were carried out within the limits of the Director and one above Director's limit, where the Management Board approved the transfer by a Decision.²⁷ The list of transfers and final budget figures are available in Table 2 of Annex II.

Detailed information on each transfer executed is available on the Agency's Website²⁸.

4. Public procurement

To provide BEREC with all means necessary for the implementation of the BEREC work programme (WP) and to ensure the proper functioning of the BEREC Office, in 2022 the Agency launched 28 procurement procedures, broken down into the following types:

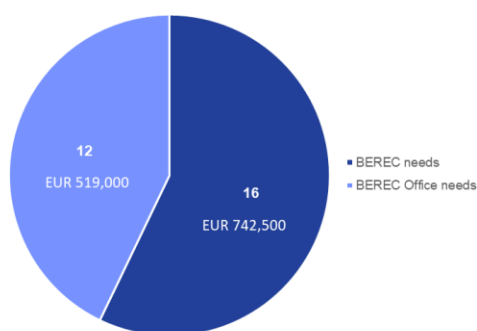
- Very low-value negotiated procurement procedures for contracts not exceeding EUR 15 000.00 - 4;

²⁷ See, <https://www.bereg.europa.eu/en/document-categories/bereg-office/decisions-of-the-management-board/decision-of-the-management-board-of-the-agency-for-support-for-bereg-on-the-approval-of-budgetary-transfer-from-title-2-to-title-1-in-accordance-with-article-26-2-of-decision-no-mb201913>

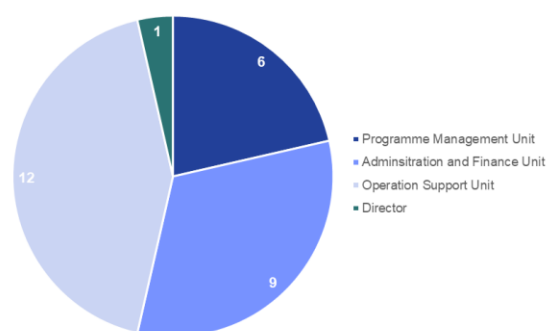
²⁸ https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/budget_of_the_office/annual_budget_of_the_office/

- Middle-value negotiated procedures for contracts not exceeding the threshold established in the Directive - 1;
- Open tender procedures for contracts equal to or above EUR 144 000.00 - 4;
- Reopening of competition - 19.

Number and value of procurement procedures 2022



Procurement procedures by requesting Unit 2022



Out of these 28 procurement procedures, 21 resulted in the signature of a contract; two procedures were not finalised by the end of 2022 and consequently were carried-over to 2023 and five resulted in the cancellation of the procedure, mainly because of insufficient quality of tenders or no tenders received

The public procurement procedures of the BEREK Office were initiated by its units in compliance with their responsibilities and the BEREK Office Procurement Plan and were managed in a central manner by the procurement officer and one financial assistant from the Agency's administration.

Procurement procedures were sequentially numbered to ensure control over them, including completeness of the list for review purposes. To ensure the control objectives set out in Article 30(2) of the Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (FFR), each procurement undergoes at least the 4-eye principle, most of them the 6-eye principle.

In terms of volumes, the procurement procedures in support of BEREK needs significantly exceeded those for the administrative needs of the Agency.

To improve efficiency and to ensure higher compliance with the procurement rules, in February 2022 the BEREK Office started the use of the European Commission Public Procurement Management Tool (PPMT) and it was used for all the procedures launched in 2022 the exception of reopening of competition for which the tool has not been designed.

To reduce the administrative burden on staff, in 2022 the BEREC Office continued to use interinstitutional framework contracts (FWCs) and FWCs established by the BEREC Office.

In 2022, the BEREC Office was invited to join 13 interinstitutional procurement procedures and expressed its interest to join seven of them, which at the end of 2022 were still ongoing. In 2022 the Agency became a participating contracting authority to 24 new inter-institutional FWCs. The Agency established one FWC itself.

In 2022, the BEREC Office signed 148 specific contracts under the FWCs in force and two direct service/supply contracts.

In total in 2022 the BEREC Office signed 179 contract for supporting BEREC's activity and for ensuring the day-to-day operation of the Agency.

5. Delegation and sub-delegation

In accordance with the Financial Regulation of the European Union (EU) and the BEREC Office Management Board (MB) Decision No MB/2019/13, and in particular Articles 41 and 46 thereof, the Authorising Officer of the BEREC Office, delegates, on a yearly basis, the powers of budget implementation to the Authorising Officers by sub-delegation. The Delegation of Powers is exercised in accordance with the Charter for Authorising Officers by Delegation, containing a series of tasks and responsibilities for the Authorising officers by delegation, which are carried out on the basis of both paper documents signed manually and computerised management systems signed electronically. These delegations apply to a series of predefined transactions having the articles and items listed in an annexed page and providing specific limits for each transaction.

For the financial year 2022, the BEREC Office Authorising Officer has partly delegated his budget implementation powers to the three Heads of Units. The corresponding budget lines reflecting the nature of each unit's activities were respectively assigned for authorisation to the Authorising Officers by sub-delegation. The correct implementation of these delegations is to be checked also on a yearly basis, during the periodic validation of user access rights granted in ABAC. The process consists in cross-checking that access rights granted in ABAC are in line with the delegations and responsibilities entrusted, and it is performed by a neutral verifier as per requirements. The results of these verifications were disclosed to the Authorising Officers (by delegation) and to the entity in charge of these controls within the EC Directorate General for Budget.

6. Human resources (HR) management

6.1 Highlights

During 2022 the BEREC Office HR management was oriented towards maintaining full staffing situation to enable the Agency to deliver its mandate, as defined in Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018

The main challenge in that area was the high staff turnover, which in 2022 went up to 16.3% in comparison to 4.6% for 2021 and 5.4% in 2020. The sharp increase of the staff turnover particularly affected the Administration and Finance Unit, in which the staff have universal competences and can easily find a better job within the EU Institutions and other Agencies of the EU.

The high staff turnover could be linked to a normalisation of many businesses following the lift of the COVID-19 restrictions which led to an increased job opportunities on the employment market. To fill in the posts becoming vacant and to ensure staff with new competences needed for BEREC and its administration in 2022 the BEREC Office launched selection procedures in order to fill in five vacant posts (one temporary agents and four contract agents) for which BEREC Office did not have suitable reserve lists in place while for remaining three posts which became vacant, the BEREC Office ensured fast recruitment from its active reserve lists.

Continuing to offer better working and living conditions to the staff members throughout the reporting period in question remained one of the priorities for the Agency and was translated into following concrete actions: provision of legal advice for staff members' private matters regarding their life in Latvia, financial support for kindergarten, payment of tuition fees for enrolment in international schools in Latvia, general and language courses in conjunction with an extensive package consisting of goods and services for the personal needs of the eligible statutory staff and SNE exempted from the Value Added Tax, comprehensive induction programme for new comers, support to the family members in their establishment in Latvia and others. Many of these measures were implemented jointly with the Latvian authorities.

Bearing in mind the small size of the Agency, a good geographical balance was achieved, with representatives of 14 Member States²⁹ and three Western Balkan countries (on 31 December 2022).

6.2 Changes in establishment plan and number of posts

In 2022 the number of establishment plan posts allocated to the BEREC Office remained unchanged (same as in 2014), namely: 16 (13 Administrators and three Assistants).

²⁹ A tendency towards an increase in Latvian nationals working at the BEREC Office has been identified.

The number of external staff was maintained at the 2020 levels and included: 22 Contract Agents (CAs) and 9 Seconded National Experts (SNEs). To maintain appropriate capacity for supporting existing and BEREC tasks and activities in 2022, the entity in charge of HR ensured the availability of 50³⁰ staff members.

Following the approval of the SPD for 2022-2024 a further reshuffle of jobs has been carried out in order to allow the assignment of the Legal and Data Protection Officer related tasks and responsibilities to a temporary agent. What is more, due to increase in the workload in the area of procurement and the arising new needs in the area in support to BEREC, in conjunction with the departures of several staff members, it has been decided to further re-organise certain contract agent functions in order to better meet the changing needs of the main BEREC Office client, namely BEREC and to optimise the use of the limited available HR.

6.3 Recruitment and selection

Apart from the selection procedures launched during the course of 2022 indicated in para 6.1 above, the BEREC Office conducted specific recruitment activities in order to fill in a number of three vacant posts using the BEREC Office existing valid reserve lists with the exception for the post of HR Assistant (CA FG III) where it has been decided to make use of an existing EPSO reserve list namely EPSO/CAST/P/8/2017. In order to mitigate the workforce gaps due to increase number of vacancies the BEREC Office hired 13 interim workers to maintain the usual BEREC Office capacity to perform its tasks. Out of these 13 interim workers, four were hired during the first half of 2022 in order to provide services for the implementation of the new Headquarters Agreement (HQA) and in particular to cover the gap between the entry into force of the HQA and the establishment of the Liaison Office.

In addition to the above mentioned, BEREC Office concluded the selection procedure for the establishment of a reserve list for seconded national experts (SNE) following the Call for Expression of Interest for SNES at the BEREC Office - BEREC/2021/06.

The call for expression of interest for the above mentioned selection procedure has been extended two times since the initial closing date. The main points of concern has been the very low number of applications and the geographical imbalance of the applicants.

At the final closing date for submission of applications only 13 completed applications were received, seven (54%) of the submitted applications were from Greek nationals, two (15%) from North Macedonia, two (15%) from Croatia, one (8%) from Latvian and one (8%) from Romania.

Furthermore, BEREC Office continued its traineeship programme during 2022. As a result, seven trainees joined BEREC Office during the course of 2022 and in total during 2022 15

³⁰ At 31/12/2022 the Agency had 48 TAs, CAs, SNEs and interim workers for its needs, of which one TA and one interim worker were working together in parallel – for hand-over purposes;

trainees participated in the BEREC Office Traineeship Programme.

In 2022 the BEREC Office continued to further expand the variety of its reserve lists, which ensure fast track recruitment in case of vacancies and at the end of the 2022 there were of 23 valid reserve list in place (with three more in comparison to the reserve lists at the end of 2021).

6.4 Talent Management

The 2022 annual appraisal exercise was launched in January 2022, whereas the 2022 reclassification exercise was launched in June 2022. Both exercises were successfully finalised.

In 2022 BEREC Office trainings continued to be delivered mainly in a digital environment mainly due to the fact that following the commencement of the conflict in Ukraine on the 24.02.2022 the BEREC Office decided to apply the highest flexibility in terms of working arrangements. As a result all staff members were allowed continuous teleworking upon request either from the place of employment, from the place of origin or any other country, which the staff members considered as safe location for themselves and their families.

Throughout the year 2022 the Agency staff members benefited from training sessions covering 104 topics including 39 topics offered *in-house* on subjects, such as: document management, budget planning and monitoring in accordance with the principle of activity-based budget management, use of the EC account tools, such as: ABAC Workflow, ABAC Assets, ABAC data warehouse, use of the EC Public Procurement Management Tool (PPMT), specifics of the cooperation with the PMO, use of Sysper2 and the NDP module, etc. In addition the BEREC Office organized 14 in house training classes for the purpose of learning foreign languages (French, German, Spanish, Italian and Latvian).

6.5 Staff retention and working conditions

The average length of service of staff at the BEREC Office in 2022 (incl. TAs, CAs, SNEs) was 3.12 years, which represents a slight increase compared to previous years (2021: 2.47; 2020: 2.60).

The average duration of contracts by category of staff is as follows:

Category of staff \ Year	2020	2021	2022
Temporary agents category (TAs) 2(f) ³¹	3,93 years	4,12 years	4,17 years
Contract agents (CAs)	1,91 years	2,36 years	2.56 years

Category of staff	Year	2020	2021	2022
CAs + TAs 2(f) (excluding SNEs and TA 2(a))		2,86 years	3,23 years	3.33 years

Overall 2022 was quite different in comparison with the 2021 with hardly any resignations from staff members employed by BEREC Office. During the course of 2022, five (5) members of staff (1 TA+4CA) submitted their resignation while for other two (2) members of staff (1 TA+1CA) the employment contracts have not been renewed, resulting in an increase of average length of service at the Agency. This could be linked to the ease of the COVID-19 restrictions leading to increased job opportunities on the labour market.

In general the reasons for the resignations at the BEREC Office are linked to the low correction coefficient for Latvia, the low grades in comparison with the nature of tasks assigned to the job holders which are either multidisciplinary or complex in comparison with other EU entities and last but not least unsuitable staff categories, namely the ratio between TA and CA. Some staff members reported dissatisfaction with certain aspects of the living conditions in Latvia related to the limited job opportunities for their spouses.

Following the above, efforts to retain and further develop highly specialised staff continued through different measures. The BEREC Office cares for its staff by seeking to provide a functional, comfortable and environmentally friendly working space, taking into account the limitations of its current premises.

The implementation of all other projects launched in the previous years (assistance with home care or care for a sick child, legal assistance for the staff provided by a legal firm, general and language training courses and others) aimed at ensuring retention of highly qualified staff continued throughout 2022.

Under the flexible working time arrangements which following the adoption of the Commission Decision of 24.03.2022 on working time and hybrid working, has become the default working time arrangement in force at the BEREC Office, the Agency's staff were granted a total of 93³² days of flexitime recuperation in 2022. The above mentioned new Decision has introduced a lot more flexibility for staff, both in terms of working time and teleworking. It is founded on the principles of objectives-based and results-oriented management and a culture of trust. As regards working time there are no longer strict core hours. The decision only indicates timeslots during which staff should be available (i.e. reachable). Keeping these timeslots was necessary to ensure availability of staff for interaction with colleagues. However, staff need only to be reachable during these time slots; physical or virtual presence is not required. The most important change is the one that concerns teleworking. This Decision recognizes for the first

³² For more details on the flexitime recuperation days taken in each grade, see Annex IV, Table 7

time that teleworking is a right and allows teleworking up to 60% of the working time. Furthermore the procedure to request telework has become much easier for staff. As a result between September and December 2022, 1050 days of telework from the place of employment have been recorded. Finally yet importantly the Decision introduces the possibility to request telework from outside the place of employment. This entitlement did not exist previously. Now, there are actually three different possibilities offered. Everyone can have 10 days of telework from abroad per calendar year. In exceptional circumstances and under specific conditions, telework from abroad can be granted for a longer period, renewable. Finally, in case staff members are called to duty for service reasons while on annual leave, they may still be able to telework from abroad in addition to the 10 working days i.e. they may be allowed to remain in the place of your holiday and work from there, which again was not the case under the old regime.

6.6 Gender and geographical balance of the staff

At the end of 2022 (on 31 December 2022) the BEREC Office managed to ensure gender balance within the staff, namely: 49% female and 51% male. Considering that the BEREC Office has only three middle management positions, an acceptable gender balance was also achieved in middle management, with one woman and two men.

Concerning the geographical balance and having regard that the BEREC Office is a small size Agency, 14 EU Member States and two Western Balkan countries were represented on 31 December 2022. A detailed overview of the gender and geographical distribution of the BEREC Office staff members is available in Table 3 and Table 4 of Annex IV.

6.7 Implementing rules

In 2022 the following staff implementing rules entered into force for the BEREC Office:

- C(2022) 1788 of 24/03/2022 - MB/2022/03 – working time and hybrid working;
- MB/2022/05 - Decision of the BEREC Office Management Board on the probationary period, management trial period and concerning the appraisal of the Director and repealing Decision MC (10) 26 concerning the appraisal for the administrative manager
- MB/2022/07 - Decision of the BEREC Office Management Board laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings

Further information on the specific decisions are included in Annex IV, table 6.

6.8 Benchmarking

In line with the obligations deriving from Article 29 of the Framework Financial Regulation (FFR), the BEREC Office annually conducts a benchmarking exercise, which shows the internal distribution of the Agency's human resources according to the role of each job. The compared results for 2019, 2020 and 2021 are reported in Table 5 of Annex IV.

The identification of the above-mentioned organisational roles is obtained through a job screening conducted on the basis of the specific methodology common to all agencies and the list of the roles corresponding to each job is reflected in Table 2 of Annex IV.

The final results of these exercises reflect the distribution of tasks and responsibilities following the entry into force of the new BEREC Regulation at the end of 2018 and the change in the Agency's staffing.

7. Strategy for efficiency gains

7.1 Highlights

The actions for achieving efficiency gains in 2022 were aimed at the following main areas:

1. efficiency gains via further centralisation of some functions.
2. efficiency gains in the field of procurement;
3. efficiency gains achieved through the increased use of EC IT applications or the introduction of new ones;
4. use of external resources to compensate lacking HR capacity or for tasks of a technical and auxiliary nature.

These actions have led to the following results:

7.2 Efficiency gains in the field of procurement

Joint purchasing arrangements can give rise to efficiency gains, in particular, due to economies of scale, which lead to cost savings such as lower purchase prices or improved client services for the same price. Interinstitutional procurement procedures or joint procurement with the authorities of the host Member State can also save human resources for the BEREC Office, which due to its small size has a very limited number of staff available to manage the Agency's procurement³³.

Consequently, in 2022 the BEREC Office continued the use of interinstitutional procurement procedures and joined 7 interinstitutional procurement procedures (out of 13 invitations received), which resulted in the conclusion of 6 FWCs during the reporting period.

Additionally, based on the provisions of the new BEREC Office Financial Regulation, since 2019 the BEREC Office has access to the Latvian electronic procurement system – EIS, and is being gradually added as a contracting authority in new procurement procedures by the Latvian side. In 2022, the BEREC Office was authorised to use three catalogues of the joint procurement with the Latvian contracting authorities, namely for the purchase of IT hardware, office supplies,

³³ In 2022, the BEREC Office dedicated 0.6 Temporary Agent AD 6, 0.8 Contract Agent FG IV, 0.5 Contract Agent FG II

stationery and household goods.

7.3 Efficiency gains achieved via the higher use or introduction of additional EC IT applications

One of the means for ensuring efficiency gains is the digitalisation of the services used and offered and the use of automation. The BEREC Office does not have sufficient resources to develop and implement its own administrative IT tools, as most of its IT specialised staff is dedicated to support to BEREC. Consequently, the BEREC Office tries to make maximum use of the IT tools developed by the Commission's services.

In 2021, the Agency made progress with the introduction of the following tools:

a) Advanced Gateways for Meetings (AGM)

In 2019, the BEREC Office put into operation the EC's online tool (AGM) for the organisation of meetings and expert reimbursements, with the objective of starting its use gradually as of 2020.

However, due to the COVID-19 pandemic and applicable restrictions on travel in 2021, the new tool was not used extensively. Yet there were 231 experts registered for the BEREC meetings through the tool last year. Please refer to point 4.2.8 for more information.

The extensive use of the AGM tool by experts is expected as soon as physical meeting will resume, i.e. in 2022 and thereafter.

b) Use of additional modules of Sysper2 for managing the HR resources

The BEREC Office was among the first EU agencies, which started the use of the European Commission tool Sysper2 for managing the Agency's staff and is continuing its commitment to put in production all its module in order to benefit from the use of the tool in full. In particular, in 2022 the Agency had fully on-boarded and actively used all basic modules, e.g. identity management, organisation management, personal data management, working conditions, talent management and document management and three from the optional set of modules, e.g. flexitime, teleworking, and individual rights.

In addition, on 13 April 2022 the Agency put in production the Digital Personal Files (NDP) module, which finalised the effort of the HR to digitalise all personal files and made all documents in them available to the staff.

In 2022 Agency also started the use of the probationary period module (STAGE) of Sysper2 enabling staff members and reporting officers to draft and finalise probation reports in digital way.

The Agency is committed to introduce gradually all Sysper2 modules available to the decentralised Agencies and therefore at the end of 2022 the entity in charge of HR expressed interest to on-board additional four Sysper2 modules – Ethics (ETH), Career Break Workflow (CCPw), Objectives (OBJ) and HR Reporting/Analytics, with a view to proceed with testing and full on boarding of modules in first half of 2023.

c) Use of e-Invoicing

The BEREC Office started the use of e-Tendering and e-Submission in 2019 but has not stated the use of e-Invoicing.

In 2021 the Agency conducted analysis on the costs and benefits of the use of e-Invoicing and concluded that at this stage there will be no benefits from taking this module of e-Prior due to low take-up of the service/goods providers of the Agency.

The management will continue to monitoring the development of the tools for e-Invoicing offered to the decentralised Agencies and depending on the level of their take-up by the Agency's business partners may opt for the tool in the future.

7.4 Use of external resources to compensate missing capacities or for tasks of technical and auxiliary nature

Since its establishment, the BEREC Office has been operating with lacking human resources (HR) capacity for certain posts such as internal control coordinator, medical officer, security guards, etc. Additionally, the Agency has neither clerks nor secretaries and consequently many staff members are engaged in secretarial and clerical tasks, irrespective of their grade.

To compensate some of the lacking capacity, where possible, the BEREC Office uses such services when they are offered by the European Commission (EC) or other agencies of the EU as a first priority.

In 2021 the Agency used the following services offered by the EC or other agencies and bodies of the EU:

a) In the area of human resources (HR):

Services offered by the EC Office for the Administration and Payment of Individual Entitlements (PMO)

- Sickness, accidents, occupational disease
- Unemployment
- Pensions, invalidity allowance, transfers and severance grant
- Salary calculation and payment
- Use of IT tool for salary calculation and reporting (NAP)
- Determination of individual entitlements for active staff – allowances and reimbursements on taking up appointment, transfer
- Use of Sysper2 rights module for PMO (stand-alone)
- Determination of mission expenses

Services offered by the DG Human Resources and Security (DG HR)

- Learning and development
- Health and Wellbeing - Medical services

Services offered by European Personnel Selection Office (EPSO and the European School of Administration (EUSA)

- Selection and training of staff

b) In the area of finance and accounting:

- Accounting Officer services (Directorate General for Budget - DG BUDG)³⁴
- Reimbursement of expenses of experts (PMO)

c) In the area of IT and security:

- Security services (CERT-EU)
- sTesta services (DG for Informatics - DG DIGIT)
- Production of security badges and entry permits for the EC premises (DG HR)
- Financial and accounting systems: ABAC Workflow, ABAC Accounting (SAP), ABAC Datawarehouse and ABAC Assets (DG BUDG, DG DIGIT)
- e-PRIOR for procurement (DG DIGIT)
- ICT procurement (DG DIGIT)
- EU Learn (DG HR)
- My IntraComm (DG DIGIT)
- MiPs (PMO)
- NAP / BOXI (PMO)
- Sysper2, incl. NDP and ComRef database (DG HR)
- HERMES-ARES-NomCom (SecGen)
- AGM (PMO)

d) Publications and language services:

- Publication services (Publication Office)
- Interpretation services [DG Interpretation (SCIC)] and translations and other language services [Translation Centre of the EU (CdT)]

³⁴ In July 2022 the BEREC Office was informed by DG BUDG on its intention to cease providing accounting services for existing clients, expected to be effective not later than 1 December 2023.

When the services needed by the BEREC Office, for which internal capacity was missing, were not offered by the EC or other bodies of the EU, the BEREC Office acquired those services via contracts, for example in the field of IT, physical security, logistics, cleaning and others.

Interim workers were hired for specific short-term projects for which the BEREC Office had no posts in its organisational structure, for example for the implementation of the BERECweb project (technical and content) or the assessment of the efficiency and effectiveness of the internal control systems.

This approach has enabled the BEREC Office to address tasks in its mandate by making extensive use of the professional knowledge of the hired staff in the interest of the service.

7.5 Conclusions

The implementation of the above-mentioned actions has led to improved service quality, lower prices and/or higher quality and the use of fewer FTEs for administrative tasks.

Any freed-up capacity from the implementation of the strategy for efficiency gains has been re-invested in support to BEREC.

8. Assessment of audit and ex-post evaluation results during the reporting year

8.1. Internal Audit Service (IAS)

According to the provisions of the BEREC Office Financial Regulation, specifically the provisions set out in Chapter 7 thereof, the European Commission's IAS is the internal auditor of the BEREC Office. Following the full risk assessment carried out in 2020 and according to the audit plan for the period 2021-2023, the IAS started in late 2021 its preliminary interviews for the audit of the organisational preparedness for the implementation of BEREC Working Groups' activities. The audit fieldwork continued also in January 2022, the IAS final report being received in May 2022.

The audit report contained three important recommendations. Consequently, to address them the BEREC Office prepared an action plan, which was presented to the IAS.

Following the acceptance of the action plan by the IAS, the BEREC Office started its implementation to ensure that the deadlines included in it will be respected.

8.2. Internal audit capability

Not applicable³⁵.

8.3. European Court of Auditors (ECA)

In the ECA's opinion³⁶, the BEREC Office's accounts for the year ended 31 December 2021 present fairly, in all material respects, the BEREC Office's financial position at 31 December 2021, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector.

ECA also concluded that the revenues and payments underlying the accounts for the year 2021 are legal and regular in all material respects.

However, ECA made some comments on the legality and regularity of transactions, which can be summarized as per below:

- 1 finding referring to one previous procurement procedure for legal services, for which 2021 payments are considered to be irregular;

³⁵ The BEREC Office has no internal audit capacity

³⁶ [Annual report on EU agencies for the financial year 2021](#)

As a direct follow-up, the BEREC Office unilaterally terminated the contract and replaced it with a new procurement contract.

- 1 selection procedure where the selection committee had not established how points would be awarded for each selection criterion before examining the applications and lack of record of the implementation of the mitigation measures for Conflict of Interests (still referring to the same recruitment procedure)

Further to ECA's comment, the BEREC Office has undertaken improvements during the screening/shortlisting stage. Prior to the disclosure of the candidates' names and their applications to the members of the selection committee, for the purpose of screening/shortlisting, the selection committee has to decide on the criteria used for the screening/shortlisting stemming from the job advertisement as well as on how points for each criterion will be awarded.

In addition, the BEREC Office adopted internal rules on documenting compliance with the decision of the AACC to avoid the identified risks in future. In particular Note to the staff regarding the practical modalities for recording the implementation of the decisions of the AACC about avoidance of potential Col concerning staff members involved in selection, recruitment or reclassification procedures was issued on 24.02.2022.

- IT related specific contracts under one inter-institutional FWC that BEREC Office is part of - missing request of services and ex-ante checks for compliance with the price list

Since the ECA audit, more checks have been ensured, in particular:

- services are specified, also based on negotiation/clarification on service description received during meetings, before launching the workflow (in ARES) for a purchase. The Statement of Work by the contractor based on the request;

- price checks are done for specific contracts at OIA level, price check results are saved for audit purposes;

- new versions of Price catalogues requested / received when relevant.

The BEREC Office took note and proposed the above measures to follow-up on the findings and replied accordingly to ECA.

A follow-up was also ensured for the Annex provided by ECA regarding one procurement procedure where 1 offer was erroneously not considered and where the person dealing with the procurement had declared a potential conflict of interests.

8.4. Follow-up of observations made by the discharge authority

In terms of the discharge, the BEREC Office followed up with the European Parliament (EP) on its recommendations in respect of the 2020 report and submitted replies. These replies moreover followed-up the EP observations on identified issues such as: finding of synergies for

sharing of services with other agencies in all areas of activity of the Agency, lack of personnel in the area of internal controls, gender balance in senior and middle management as well as in the Management Board, staff turnover in the agency, procurement related observations coming from the ECA reports and which were taken on board by the Discharge Authority, importance of digitalization in all areas of activity of the Agency and dissemination of the results of the Agency activity to the public.

Additionally the BEREC Office contributed by submitting comments and inputs to the 2021 Discharge exercise in the second part of 2022.

On 10 May 2023 the EP decided to grant discharge in respect of the implementation of the BEREC Office budget for the financial year 2021 and to close the accounts for that financial year.

The resolution accompanying the discharge decision to the EP welcomes the achievements of the Agency in the fields of budget monitoring and implementation, usage of key performance to assess the implementation of its objectives, delivery of two studies to BEREC, and execution of the establishment plan which reached 93,75%. Still in the field of staff policy the Discharge Authority draws the attention on gender imbalance within the BEREC Office's senior and middle management and also in the Management Board as well as the impossibility to share the Internal Control Coordinator function with other agencies. A special attention in this paragraph is given to the Commission's intention to terminate the provision of accounting services offered to the BEREC Office; the Agency is encouraged to find ways in sharing this position with another agency and to update the Discharge Authority with the latest developments in this regard.

The European Parliament makes also reference to the Headquarters Agreement that the Agency signed with the Host Member State, moreover from the human resources perspective. In addition, the Agency is recalled the importance of developing a long term HR policy and also improving of internal recruitment procedures that clarify evaluation processes and vacancy notices.

In the area of procurement, the Discharge Authority notices that the Agency uses the centralised procurement model and Commission' Public Procurement Management Tool to further streamline its public procurement processes, but also takes note on the European Court of Auditors' report regarding one procurement procedure for IT services.

As per prevention and management of conflicts of interest and transparency, the European Parliament notes that the BEREC Office publishes on its website almost all the CVs and declaration of conflicts interest of its Management Board, but, in the same time some deficiencies were found by the European Court of Auditors for a recruitment procedure.

In what regards the internal controls, the European Parliament took note on the Commission's Internal Audit Service (IAS) full risk assessment at the BEREC Office to establish its strategic internal audit plan for the upcoming period 2021-2023 in 2020 and that the IAS has not identified

critical risks. In addition, at the beginning of 2021, the IAS closed all opened recommendations stemming from previous audits.

A new section dedicated to the digitalisation and Green transition and the Discharge Authority already noted that the BEREC Office established an Expert Networking Group on sustainability, and, in addition, the BEREC Office participated in the EUIPO' inter-institutional procurement procedure for "Consultancy and management of greenhouse gas emissions offsets" concluded in June 2022. It is also welcomed that the Multiannual Greening Action plan for the BEREC Office includes a commitment for the CO2 reduction glide-path and that new rules have been proposed to reduce travel and related emissions.

In addition, the Discharge Authority noted that the BEREC Office started in 2021 a project of workshops to define a strategic roadmap for the future Digital Workplace projects on technologies and way of working, and a data protection impact assessment and IT Security Plan for Microsoft Office services and possible cloud migration strategies.

In the same time, the Agency is reminded to start the development of a cybersecurity policy in relation to the upcoming Regulation on information security in the institutions, bodies, offices and agencies of the Union and the Cyber Security Regulation. Cooperation with ENISA is also encouraged.

A special paragraph is dedicated in recalling the importance of digitalisation of the agency in terms of internal operation and management but also in order to speed up the digitalisation of procedures.

In what regards the business continuity along crisis, the European Parliament acknowledges the BEREC Office's efforts to support the BEREC working groups, including in organising meetings and workshops and notes that in 2021 almost all meetings of the BEREC Working Groups were virtual. In addition, it is recalled the study on post-COVID and lessons learned regarding communications networks for a resilient society and the fact that the Agency has signed a Service Level Agreement for the use of Advance Gateway to Meeting.

Other comments section refers to the fact the European Parliament acknowledges the BEREC Office's efforts in raising awareness of its own and BEREC's mission among citizens in the hosting country, and, in particular, the BEREC Office's participation in EU representations initiatives. In this sense there are recalled the workshops on the new BEREC Office and BEREC Visual Identity and on the BEREC website design and contents, the implementation of the activities foreseen for the Agency in the BEREC annual Communication Plan, including the organisation of BEREC public events and stakeholder forums in Latvia.

Additionally, the Agency is encouraged to continue developing its synergies and cooperation with other Union agencies with a view to improve efficiency.

All recommendations and points for which the Agency was invited to comment will be addressed by the BEREC Office and reported to the Discharge Authority.

8.5. Follow up of recommendations issued following investigations by the European Anti-Fraud Office (OLAF)³⁷

Not applicable.³⁸

9. Environment management

The BEREC Office takes into consideration the impact of its operation within the sector on the environment and is constantly enhancing measures to reduce this impact and propose measures that would aim to a greener operation. The two main factors that may affect the sustainability of an organisation like the BEREC Office are 'how the running of an organisation affects sustainability' and 'how sustainability has been considered in the overall strategy and operations of the organisation'.

For more detailed explanations and descriptions on the measures already taken to reduce the environmental impact, please refer to Annex VIII of this report.

10. Access to documents and data protection

In 2022 the BEREC Office received 17 requests for access to documents and one confirmatory application under Regulation (EC) No 1049/2001: one request concerned BEREC Office documents, the remaining requests sought access to BEREC documents (see Annex I, Table 9). Overall, the number of requests for access to documents was higher than in previous years, mainly because of the increased public interest in the BEREC activities including the BEREC and operators joint actions in support of the humanitarian crisis in Ukraine.

In the area of data protection, in 2022 the BEREC Office continued its efforts to ensure compliance with Regulation (EU) 2018/1725, which entered into force as of 11 December 2018. During 2022, the Agency made substantial progress to enhance data protection policies and procedures reaching a satisfactory level of compliance. Although progress was made, a continuous focus is needed in 2023, and likely beyond to address the emerging challenges, in particular for what concerns the compliance of the use of digital tools and service-providers based outside the EU/EEA.

The concrete 2022 outputs in terms of data protection can be summarised as follows:

³⁷ Article 11 Regulation (EU/Euratom) 883/2013 of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF)

³⁸ The BEREC Office has not been subject to OLAF investigations.

- The BEREC Office staff and newcomers have received four tailored trainings on the data protection obligations to observe when processing personal data in the course of their duties.
- The BEREC Office developed and adopted four data protection policies covering mainly the processing of personal data in the administrative area (leave and absence, selection of interim workers, procurement). One data protection policy was adopted in the operational area covering the processing of personal data by the General Authorisation Database (GADB). Additional 2 data protection policies (on the use of CISCO-Webex and on BEREC/BEREC Office events) have been developed in the end of 2022 for being adopted in 2023.
- The Agency has responded to the EDPS proposal for a joint action on the data protection compliance of Cisco-Webex by participating through its DPO to all EDPS initiatives and meetings concerned by this matter.
- The Data Protection Officer (DPO) handled and helped to mitigate two data breaches.

The above-mentioned activities will be described in more detail in the DPO Annual Activity Report 2022 which the DPO will submit to the Management Board pursuant to Article 7.3 of Decision No MB/2019/14.

As in the previous year, in 2022 the role of the DPO was exercised by the BEREC Office Legal Officer.

11. Assessment by management

2022 was another successful year for the BEREC Office, during which the Agency provided BEREC with all necessary support in accordance with the expectations (as evidenced by the satisfaction surveys), while addressing the on-going challenges arising from the still on-going worldwide COVID-19 pandemic (mainly in the first half of the year) and the war in Ukraine, which started in February 2022. Overall, most of the BEREC Office staff demonstrated good level of resilience and adapted to the changing environment.

As mentioned in the previous sections of this report, the BEREC Office maintained business continuity in its services and further improved its security (physical, technical and IT) to respond to the new security challenges related to the Russian invasion in Ukraine in February 2022.

Among others, the war in Ukraine resulted in a pan-European energy crises, which affected very heavily the host Member State of the BEREC Office - Latvia, mainly because of its geographical proximity with the war in Ukraine and the dependence of its economy on natural resources imported from Russia. This resulted in unusually high inflation, around the level of 20% on an annual basis.

Irrespectively of the extraordinary circumstances mentioned above, with better use of the limited available human and financial resources and restructuring the BEREC Office priorities for the

year, the BEREC Office managed to effectively deliver its Annual Work Programme for 2022³⁹, to meet the expectations of the stakeholders and to ensure safe and secure day-to-day running of the Agency and the ICT tools made available to BEREC.

In particular, the BEREC Office has ensured the necessary professional and administrative support to BEREC and has contributed to promoting full connectivity, supporting sustainable and open digital markets and empowering end-users by undertaking the following activities:

- setting up 12 BEREC Working Groups (WGs) in line with the BEREC Work Programme 2022⁴⁰ and two Ad Hoc WGs for dealing with phase II cases under Articles 32/33 of the European Electronic Communications Code (EECC);
- organising four ordinary plenary meetings of the Board of Regulators and the BEREC Office Management Board, four public debriefings for presenting the results from the plenary meetings, four ordinary and one extraordinary meetings of the Contact Network and 548 BEREC WG events (incl. 18 meetings of the phase II cases under Articles 32/33 WGs, and four workshops with external stakeholders);
- supporting BEREC in managing the relations with its stakeholders and interested parties by organising 16 public consultations and calls for input on key draft BEREC documents and the 10th Stakeholder Forum as a means to further gather the stakeholders' feedback on BEREC draft documents, to enhance the dialogue with the interested parties in relation to improving the consistency in the implementation of the EU regulatory rules and practices and to gather input to new potential areas of work, such as artificial intelligence, future trends and regulation of digital platforms and the effective enforcement of the Digital Markets Act.

As in previous years, the BEREC Office contributed to increasing the efficiency and effectiveness of the use of the experts from the national regulatory authorities (NRA) via offering a variety of ICT tools to BEREC, to enable remote and collaborative work of all BEREC bodies, which allowed unprecedentedly high level of participation in the BEREC WG events from all NRAs (close to 12 000 participants in 2022, compared to approximately 10 000 in 2021). The use of ICT tools required less travel and therefore contributed to higher sustainability of BEREC's operations.

The BEREC Office contributed to enhancing the professional knowledge of the NRA experts via the provision of four different types of training courses on sustainability and on regulatory aspects of the electronic communications.

³⁹<https://berec.europa.eu/en/document-categories/berec-office/berec-office-work-programmes/single-programming-document-of-the-activities-of-the-agency-for-support-for-berec-berec-office-for-the-period-2022-2024>

⁴⁰ <https://berec.europa.eu/en/document-categories/berec/berec-strategies-and-work-programmes/berec-work-programme-2022>

In 2022 the BEREC Office managed the following studies for BEREC:

- External Sustainability Study on Environmental impact of electronic communications (ordered in 2021 and finalised in 2022);
- Study on NRA Independence;
- External Study on Communication Services for Businesses in Europe: Status Quo and Future Trends;
- Study on wholesale mobile access connectivity, trends and issues for emerging mobile technologies and deployments (ordered in 2022 and to be finalised in 2023).

The Agency also ensured the availability of regulatory intelligence services related to telecommunications and digital economy, the provision of financial software and historical data sets for the calculation of certain parameters underlying the weighted average cost of capital (WACC) and other financial parameters the provision and maintenance of the General Authorisation Database and the establishment of BEREC databases of numbering ranges for value-added services and means of access to emergency services for roaming users⁴¹.

The war in Ukraine affected the work both of BEREC and the BEREC Office. Specially, following the Russian invasion in Ukraine, BEREC with the support of the BEREC Office, closely followed the telecommunications sector's response to the crisis and the measures provided to refugees from the war in Ukraine voluntarily by EU operators. Based on data gathered by the BEREC Office from EU and Ukrainian operators about the applied retail measures a Joint Statement was agreed, which established a stable framework to help people fleeing the war in Ukraine to stay connected with their families and friends back home and maintain access to information.

Furthermore, the BEREC Office coordinated the process of establishing Working arrangements between the NRA from Ukraine and BEREC/BEREC Office that allowed the Ukrainian NRA to become participant without the voting right in BEREC and the BEREC Office.

In close cooperation with the Embassy of the Czech Republic in Latvia in November 2022 the BEREC Office held a networking event to mark BEREC's and the Eastern Partnership Regulators' summit in Riga, Latvia.

The BEREC Office achievements in 2022 go beyond responding to the new crisis situation and, irrespectively of the additional effort and resources required for the activities related to the measures targeting to respond to the security issues related to the war in Ukraine, the Agency continued its efforts related to the implementation of the new Headquarters Agreement (HQA), increasing digitalisation and ensuring compliance with the *horizontal* legislation in force.

Specifically, on 16 June 2022 the BEREC Office and the Latvian Government signed a Service

⁴¹ <https://berec.europa.eu/en/berec/berec-databases-of-numbering-ranges-for-value-added-services-and-means-of-access-to-emergency-services-for-roaming-users>

level agreement (SLA), which was an important prerequisite for the practical implementation of many of the provisions of the HQA. Following that the Latvian Government established a Liaison Office as a means to ensure the smooth operation of the Agency in Latvia and to support the BEREC Office staff and their families in their establishment in the host Member State.

In line with the provisions of the SLA the Government of Latvia also provided for the first time voluntary contribution to the BEREC Office budget for sharing the costs for schooling offered to the children of the BEREC Office staff amounting to EUR 123,333.

Despite the exceptional circumstances mentioned above, the internal control systems put in place have functioned as intended to ensure the appropriate management of financial flows and the legality and regularity of the underlying transactions, based on 100% *ex ante* verifications of financial transactions and procurement procedures.

The objective of the systems is to ensure that the BEREC Office management has reasonable assurance that the total amount of any financial operation authorised during the reporting year that does not comply with contractual and regulatory provisions does not exceed 2% of total expenditure.

Based on the principle of cross-reliance on audits based on internationally accepted audit standards and taking into account the limited human and financial resources of the Agency and low risks (incl. very low risk of fraud) to which the Agency is exposed, in 2022 the BEREC Office management has not considered it necessary to introduce additional ex-post controls.

Part III: Assessment of the effectiveness of the internal control systems

1. Risk management

In accordance with the relevant international standards in July 2020 the IAS carried out an in-depth risk assessment covering all BEREC Office auditable entities. The outcome of the risk assessment proved that the BEREC Office remains a low risk Agency.

As part of its annual risk management activities on 14 October 2022 the BEREC Office held an internal risk assessment workshop.

During the workshop the Agency management together with key staff reviewed all risks associated with the activity of the BEREC Office and concluded that there were no critical risks. The risks identified as significant have been recorded in the Risk register and have been either accepted or would be addressed via action plans. The progress of the implementation of the action plans is monitored on a monthly basis with the objective of alerting management when indicators show that the achievement of the objectives is at risk.

2. Compliance and effectiveness of internal control principles

2.1. Efficiency and effectiveness of internal control systems

2.1.1. Assessment

The assessment of the efficiency and effectiveness of the internal control system in the BEREC Office was performed from October until end of December 2022 by an interim internal control coordinator (ICC).

The controls and benefits assessment showed that the costs related to the controls at the BEREC Office are in line with the benefits.

The assessment of ABAC and the financial requirements showed that the BEREC Office is compliant with the Financial Regulation. This is also testified by the European Court of Auditors (ECA) and independent Auditor's, as they issued a no findings report. The BEREC Office also took necessary measures addressed by the Accounting Officer and by the end of 2022 all issues were cleared, which is confirmed by report by Accounting Officer.

The assessment of the compliance with the Internal Control Framework (ICF) requirements was divided into the following five different clusters and was concluded the following:

- (a) **Control Environment.** The assessment of principles showed a good overall implementation of the principles. We were able to see full-fledged internal control environment. Actions are guided by regulatory acts, which are updated based on everyday needs;

- (b) **Risk Assessment.** The assessment of principles showed good implementation, but with the possibility for improvements. Even though, the BEREK Office has a limited number of staff, it is advised to perform a risk assessment of all processes at the BEREK Office continuously not only to most significant risks determined by management;
- (c) **Control Activities.** The assessment of principles showed an overall very good implementation. Although we found minor deviations during evidence collection and sample testing, none of these had a significant impact on the outcome. Control activities work as intended;
- (d) **Information and Communication.** The assessment of principles showed a good implementation. Nevertheless, the BEREK Office should improve document management by implementing more detailed instructions on data, correspondence and document registration, which mainly refers to internal document circulation;
- (e) **Monitoring activities.** The assessment of principles showed good implementation. Even though the BEREK Office demonstrates responsibility to eliminate the inconsistencies and deviations reported by auditors and implement the desired improvements, we did not observe such targeted attitude in relation to the results of internal control. The BEREK Office should perform targeted follow-up actions in any case or have a relevant decision as to why certain deviations will not be resolved.

2.1.2. Conclusions

The BEREK Office's internal controls contain the necessary mechanisms, rules and procedures to ensure the integrity of financial and accounting information, promote accountability and prevent fraud. Furthermore, the BEREK Office does not allow situations where single person can authorize decisions. Due to the fact that segregation of duties is a key component in the preventive internal control process.

Internal controls are divided into Ex-Ante (preventative) and Ex-Post (detective) activities.

Preventive control activities aim to deter errors or fraud from happening and include thorough documentation and authorisation practices. Detective controls are backup procedures that are designed to catch items or events that preventive controls have missed. The BEREK Office has a large set of both, and, even though some minor deficiencies/deviations were identified, **ICC gained assurance that internal controls are effective.**

Based on detective controls, necessary measures by BEREK Office have been implemented to ensure the safeguarding of assets, accuracy and reliability of reporting and encourage adherence to organisational policies and regulatory acts.

2.2. Costs and benefits of controls

The costs of controls at the BEREK Office for the financial year 2022 have been, as follows:

2.2.1. Outsourced:

- verification of the BEREC Office annual accounts by an independent external auditor in accordance with the provision of Article 70 (6) of 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 966/2012⁴² - kEUR 16;

- assessment of the efficiency and effectiveness of the internal control systems, including an overall assessment of the costs and benefits of controls, as required by the provision of Article 48 (1) of Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁴³, by an interim internal control coordinator⁴⁴ - kEUR 23.

If compared to the overall budget available at the Agency for payments in 2022 (e.g. milEUR 10) the expenditure for the independent auditor will be 0.1 % of the available appropriations for payment and the expenditure for the assessment of the efficiency and effectiveness of the internal control systems, including an overall assessment of the costs and benefits of controls will constitute 0.2 % of the available payment appropriations.

2.2.2. Internal:

During the assessment of the efficiency and effectiveness of the internal control systems, including an overall assessment of the costs and benefits of controls, was performed detailed calculation regarding the costs of controls of:

- (f) **Transactions.** 11,940 transactions were made (including both operational and financial) at the BEREC Office in 2022, which included ex-ante controls by each of staff member involved. Total costs of controls of transaction constitutes kEUR 47 or on average EUR 4 per transaction.
- (g) **Procurement.** 28 procurements were performed at the BEREC Office in 2022. Total costs of controls of procurement constitutes kEUR 16.5 or on average EUR 590 per procurement.

⁴² 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)

⁴³ OJ L 122, 10.5.2019, p. 1–38 (BG, ES, CS, DA, DE, ET, EL, EN, FR, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)

⁴⁴ Used due to the absence of such function at the BEREC Office

Overall assessment of the management is that **cost of controls of procurement and transactions is sufficient to limit potential errors, material deviations and data accuracy, and performed control activities are effective.**

The limit point or benchmark of benefits of the controls is set in the amount of 2% of the BEREC Office annual budget (equals EUR 148'569). Exceeding this point would mean that the control measures are not beneficial due to the identified risk of non-compliance. Based on the assessment of the efficiency and effectiveness of the internal control systems, including an overall assessment of the costs and benefits of controls, **none of the deviations or other identified issues exceeded the benchmark and BEREC Office benefits from the internal control environment.**

The general benefits of the controls set by the BEREC Office are:

- (a) Limited risk of fraud;
- (b) Limited risk of corruption;
- (c) Assurance of compliance with Financial Regulations;
- (d) Reliability of reporting;
- (e) Transparency;
- (f) Safeguarding assets and information;
- (g) Prevention, detection, correction and follow-up of irregularities.

3. Independent auditor's report on the provisional annual accounts as at 31 December 2022

The BEREC Office requested an independent auditor to audit the provisional annual accounts of the Agency for 2022, consisting of the financial statements and the reports on the implementation of the budget for the financial year that ended on 31 December 2022. The financial statements comprise the balance sheet as at 31 December 2022, the statement of financial performance, the cash flow statement, the statement of changes in net assets/liabilities for the year then ended, and a summary of significant accounting policies and other explanatory information.

The audit was conducted in accordance with the International Standards on Auditing and the International Standards of Supreme Audit Institutions, as issued by the International Organisation of Supreme Audit Institutions.

In the opinion of the independent auditor, the provisional annual accounts of the Agency present fairly, in all material aspects, its financial position as at 31 December 2022, and the results of

its operations and its cash flow, for the year then ended, and are prepared in accordance with its Financial Regulation, and, in accordance with the accounting rules adopted by the European Commission's accounting officer, and the International Public Sector Accounting Standards, as issued by the International Public Sector Accounting Standards Board.

The report of the independent auditor and the related audit documentation have been made available to the European Commission and the European Court of Auditors.

4. Validation of local accounting systems by the Commission's accounting officer

In 2022, the Directorate-General for Budget carried out an annual review for the validation of local accounting systems for the operations authorised by the BEREC Office during the financial year 2021. The assessment was carried out to provide assurance that the internal control systems in place are effective.

The results of the exercise concluded that no significant points (with material impact) for improvement have been detected during the review.

Based on this evidence and on the conclusions of the ECA and the IAS, the BEREC Office management has concluded that the internal control systems in place are efficient and effective and are fit for purpose.

5. Statement of the Manager in charge of risk management and internal control

I, the undersigned, Iskra STOILOVA-TSONEVA,

Manager in charge of risk management and internal control within the Agency for Support for BEREC (BEREC Office),

In my capacity as Manager in charge of risk management and internal control, I declare that in accordance with Agency's Internal Control Framework, a report with recommendations on the overall state of internal control in the Agency has been presented to the attention of the Director.

I hereby certify that the information provided in the present Consolidated Annual Activity Report and in its annexes is, to the best of my knowledge, accurate, reliable and complete.

Riga, XX June 2023.

(e-signed)

Iskra STOILOVA-TSONEVA

Head of Administration and Finance

Part IV: Management assurance

1. Review of the elements supporting assurance

The information reported in Parts I and II stems from the results of management and auditor monitoring conducted in 2022. It is based on a systematic analysis of the evidence available, as stated below.

i. Ex ante controls of transactions

In 2022 all transactions (operational and financial) at the BEREC Office have been subject to ex ante controls. The staff entrusted with the ex-ante controls has the necessary professional knowledge to perform these controls. Their knowledge has been acquired during previous experience and the specific trainings offered by the BEREC Office.

ii. Assessment of the efficiency and effectiveness of the internal control system

In 2022 the BEREC Office assessed the implementation of the [BEREC Office Internal Control Framework](#) as defined by the Management Board in document MC (18) 69⁴⁵.

The assessment was conducted in accordance with the requirement of Internal Control Principle No 16 and was done against the objectives and key performance indicators included in the BEREC Office Work Programme 2022 as part of the Agency Single Programming Document for 2022-2024⁴⁶ by taking into account the standards at the EC services.

The outcome of the assessment demonstrated that the BEREC Office has overall a well performing internal control framework in place with the key criteria specified by the European Commission (EC) Directorate-General for Budget (DG BUDG), the BEREC Office own regulations, the BEREC Office key policies and procedures, and with good practices.

iii. Validation of the accounting system carried out by the EC Accounting Officer

In 2022 the staff of DG BUDG carried out its annual evaluation of the local financial systems set up in BEREC Office, as provided for in Article 50 (e) of the BEREC Office Financial Regulation.

The evaluation has not identified any control weakness which would have a material impact on the accuracy, completeness and timeliness of the information required to draft the annual accounts and produce reliable reporting. On the basis of the available evidence, DG BUDG

⁴⁵ See, <https://berec.europa.eu/en/document-categories/berec-office/others/berec-office-internal-control-framework>

⁴⁶ See, MB (21) 69, BEREC Office Single Programming Document for the period 2021-2023, 13.12.2021, published at: <https://berec.europa.eu/en/document-categories/berec-office/berec-office-work-programmes/single-programming-document-of-the-activities-of-the-agency-for-support-for-berec-berec-office-for-the-period-2022-2024>

concluded that the internal control systems are working as intended.

iv. Lessons learned from the reports of the European Court of Auditors (ECA)

The management has taken into account the lessons learned from the ECA reports and has introduced the necessary improvements in those areas in which there were comments by the auditors.

v. Audit based on internationally accepted audit standards conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution

Under a framework contract of the DG BUDG the BEREC Office tasked an independent auditor on the bases of internationally accepted audit standards to audit the BEREC Office financial accounts (provisional and final) and to report setting out the use of a Union contribution. Following the audit of the provisional and final accounts and the documents containing information about the use of a Union contribution, the independent auditor issued a clean opinion according to which the provisional annual accounts of the Agency presented fairly, in all material aspects, its financial position as at 31 December 2022.

vi. Declarations of Assurance by the Authoring Officers by Delegation

In their capacity as Authorising Officers by Delegation, each Head of Unit has provided a Declaration of Assurance on the appropriate allocation of resources and their use for their intended purpose and in accordance with the principles of sound financial management, as well as on the adequacy of the control procedures in place.

vii. Declaration of the manager in charge of risk management and internal controls

The Manager in charge of risk management and internal control has signed a declaration taking responsibility for the completeness and reliability of management reporting. This declaration covers both the state of internal control in the BEREC Office and the robustness of reporting on operational performance. However, responsibility for achieving operational objectives remains with the relevant unit.

This approach provides sufficient guarantees of the completeness and reliability of the information reported, and the results achieved by the BEREC Office in 2022.

In conclusion, the management has reasonable assurance that, overall, suitable control systems are in place and working as intended, risks are being appropriately monitored and mitigated, and necessary improvements and reinforcements are being implemented.

2. Reservations and overall conclusions on assurance

Taking the above into consideration, no weaknesses were identified related to the financial management of appropriations inside the Agency; therefore, no reservations are made in this context in the declaration.

Part V: Declaration of Assurance

I, the undersigned, **László IGNÉCZI**, Director of the Agency for Support for BEREC (the BEREC Office), in my capacity as authorising officer, declare that the information contained in this report gives a true and fair view, and state that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the ex-ante controls of all transactions (operational and financial) carried out by the BEREC Office staff, the assessment of the efficiency and effectiveness of the internal control system carried out by an interim internal control coordinator, the validation of the accounting system carried out by the Commission Accounting Officer, who is appointed as the BEREC Office Accounting Officer, the lessons learnt from the reports of the European Court of Auditors, the outcome of the audit based on internationally accepted audit standards conducted by an independent auditor on the financial statements and reports setting out the use of a Union contribution and the declarations of assurance of the authorising officers by delegation.

I confirm that I am not aware of anything not reported here which could harm the interests of the Agency.

Riga, XX June 2023.

(e-signed)

Laszlo IGNECZI

*BEREC Office Director and
Authorising Officer*

Annexes

Annex I: Core business information and statistics

Table 1: List of BEREC Working Groups (WGs) supported by the BEREC Office in 2022

WGs established by a decision of the BEREC BoR ⁴⁷
1. Regulatory Framework WG
2. Open Internet WG
3. Planning and Future Trends WG
4. Market and Economic Analysis WG
5. End-User WG
6. Statistics and Indicators WG
7. Roaming WG
8. Fixed Network Evolution WG
9. Wireless Network Evolution WG
10. Remedies WG
11. Cybersecurity of 5G Networks WG
12. Sustainability WG

⁴⁷

https://berec.europa.eu/eng/document_register/subject_matter/berec/decisions/8321-decision-of-the-board-of-regulators-on-the-berec-expert-working-groups

Table 2: List of BEREC public consultations managed by the BEREC Office in 2022

PC No	Start	End	Topic	Documents subject to consultation	No of contributions
PC 01/22	15 December 2021	28 January 2022	Public consultation on the Draft Update to the BEREC Net Neutrality Regulatory Assessment Methodology	Update to the BEREC Net Neutrality Regulatory Assessment Methodology (RAM)	5
PC 02/22	15 December 2021	28 January 2022	Public consultation on the draft BEREC Report on a consistent approach to migration and copper switch-off	Draft BEREC Report on a consistent approach to migration and copper switch-off	12
PC 03/22	15 December 2021	14 February 2022	Call for inputs for the preparation of the 5G Value Chain report	Report on the Diversification of the 5G Ecosystem	17
PC 04/22	15 March 2022	15 April 2022	Public consultation on Draft BEREC Report on Sustainability: Assessing BEREC's contribution to limiting the impact of the digital sector on the environment	Draft BEREC Report on Sustainability: Assessing BEREC's contribution to limiting the impact of the digital sector on the environment	17
PC 05/22	15 March 2022	14 April 2022	Public consultation on the draft BEREC Guidelines on the Implementation of the Open Internet Regulation	Draft BEREC Open Internet Guidelines	22
PC 06/22	15 March 2022	15 April 2022	Early call for input on the BEREC Work Programme 2023	Outline BEREC Work Programme 2023	7
PC 07/22	20 April 2022	13 May 2022	Call for inputs regarding set-up of a database of numbering ranges for value-added services and of a database of means of access to	List of the VAS/premium number ranges	15

PC No	Start	End	Topic	Documents subject to consultation	No of contributions
			emergency services for roaming users		
PC 08/22	25 May 2022	24 June 2022	Public consultation on the draft BEREC guidelines on the application of Article 3 of Regulation (EU) 2022/612 of 6 April 2022 on roaming on public communications networks within the Union (Wholesale Roaming Guidelines)	Draft Wholesale Roaming Guidelines	14
PC 09/22	10 June 2022	09 August 2022	Public consultation on the draft BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (Retail Roaming Guidelines)	Draft Retail Roaming Guidelines	10
PC 10/22	15 June 2022	15 August 2022	Public consultation on the draft BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users	Draft BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users	3
PC 11/22	15 June 2022	15 August 2022	Public consultation on the draft BEREC Report on Satellite Connectivity for Universal Services	Draft BEREC Report on Satellite Connectivity for Universal Service	10
PC 12/22	15 June 2022	22 July 2022	Public consultation on the draft BEREC Report on the Internet Ecosystem	Draft BEREC Report on the Internet Ecosystem	17
PC 13/22	7 October 2022	7 November 2022	Public consultation on the draft BEREC Work Programme 2023	Draft BEREC Work Programme 2023	18

PC No	Start	End	Topic	Documents subject to consultation	No of contributions
PC 14/22	12 October 2022	30 November 2022	Public consultation on the draft BEREC Report on comparison tools and accreditation	Draft Report on comparison tools and accreditation	3
PC 15/22	18 November 2022	5 December 2022	Call for input about the review of the European Commission Implementing Regulation on the Fair Use Policy and Sustainability of the Roaming Regulation	Commission Implementing Regulation on the Fair Use Policy and Sustainability of the Roaming Regulation	8
PC 16/22	18 November 2022	5 December 2022	Call for input about the review of the Intra-EU Communications Regulation	Intra-EU Communications rules	11

Table 3: Data collection exercises organised by the BEREC Office for the BEREC Working Groups (WGs) in 2022

WG	Data collection subject	Addressees
Open Internet WG & Regulatory Framework WG	Data collection on NRA supervision and enforcement actions on zero-rated offers on the status of 30 April 2022	BEREC member and observer NRAs
	Data collection on experiences and plans about ISPs' obligations regarding the new Regulation (EU) 2022/350 on blocking Russian media on the status of 30 April 2022	BEREC member and observer NRAs
	Questionnaire on the national implementation of the Regulation (EU) 2015/2120	BEREC member and observer NRAs
Roaming WG	Questionnaire for the BEREC International roaming benchmark data and monitoring report	BEREC member and observer NRAs
	Questionnaire for Intra-EU Communications BEREC benchmark data report	BEREC member and observer NRAs
	BEREC Analysis - Monitoring of measures in relation to the war in Ukraine	BEREC member and observer NRAs
End Users WG	BEREC questionnaire on equivalent access and choice for disabled end-users	BEREC member and observer NRAs
	BEREC Questionnaire concerning Workshop on the Digital Divide	BEREC member and observer NRAs
	Questionnaire on price comparison tool and accreditation	BEREC member and observer NRAs, operators
Market and Economic Analysis WG	BEREC Questionnaire on the regulatory treatment of business services	BEREC member and observer NRAs, operators
	WG survey on interest in physical meetings	BEREC member and observer NRAs
Ad Hoc Cybersecurity 5GN WG	Survey for NRAs on legal provisions for NOC, SOC, Fraud and Lawful interception teams	BEREC member and observer NRAs, MNOs

WG	Data collection subject	Addressees
Wireless Network Evolution WG	Preparatory Questionnaire to inform the BEREC “Report on Satellite Connectivity for Universal Service”	BEREC member and observer NRAs
Statistics and Indicators WG	Data collection exercise on termination rates (FTR/MTR) for the period of 31 st of December 2021 (24 January – 14 February 2022)	BEREC member and observer NRAs
	Preparatory Questionnaire to inform the BEREC “Report on the monitoring of the termination rates for mobile and fixed voice calls” according to the Delegated Regulation (EU) 2021/654 (18 February – 7 March 2022)	BEREC member and observer NRAs
	Data collection on NRAs experience with obtaining information from NI-ICS providers (29 March – 06 April 2022)	BEREC member and observer NRAs
	Data collection on Electronic communications sector retail revenues for the preparation of BEREC Annual Report 2021 (31 January 2022)	BEREC member and observer NRAs
Fixed Network Evolution	Questionnaire on competition amongst multiple operators of NGA-networks in the same geographical region	BEREC member and observer NRAs
	Questionnaire on the update of criterion four of the BEREC Guidelines on very high capacity networks	BEREC member and observer NRAs
Planning and Future Trends WG	Survey for the BEREC report on challenges and benefits of Artificial Intelligence solutions in the telecommunications sector	BEREC member and observer NRAs
	Survey for the BEREC report on the 5G value chain	BEREC member and observer NRAs, stakeholders
Sustainability WG	Questionnaire to Industry Players on Sustainability Indicators for Electronic Communications Networks and Services	BEREC stakeholders
	Questionnaire to National Authorities on Sustainability Indicators for Electronic Communications	BEREC members and observer NRAs

Table 4: BEREC events by type supported by the BEREC Office in 2022 under activities 2.2 and 2.6 of the BEREC Office WP 2022

Type of event	Number of events supported	Number of experts reimbursed	Number of late payments	Additional comments
Plenary meetings and high level workshops	7	136	2	
Contact Network meetings	5	120	0	Including the organisation of the extraordinary/informal BEREC CN meetings
Meetings with the EP or presentations at meetings organised by the Parliamentary committees	3	2	0	
Meetings and workshops with other EU bodies	8	0	0	
Public debriefings and engagement with BEREC stakeholders	5	56	2	Including 10th BEREC Stakeholder Forum and EaPeReg –BEREC summit
International events	17	12	0	
Events attended by the BEREC Chair and/or Vice-Chairs on behalf of BEREC and meetings between the Chair and Vice-Chairs	43	31	0	
Total	88	357	4	

Table 5: Overview of the 2022 ordinary and extraordinary plenary meetings of the BoR and the MB, CN meetings, BAG meetings, high-level events with stakeholders and public debriefings

Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
31 January, virtual meeting	Extraordinary CN meeting	n/a	BEREC CN (22) 06
8 February 2022, virtual meeting	Heads' Workshop on Sustainability	n/a	n/a
10 February 2022, virtual meeting	1 st BAG meeting in 2022	n/a	n/a
17-18 February 2022, virtual meeting	1 st CN meeting in 2022	BEREC CN (22) 07	BEREC CN (22) 30
10-11 March 2022, virtual meeting	50 th Board of Regulators plenary meeting	BoR (22) 21	BoR (22) 47
10-11 March 2022, virtual meeting	50 th Management Board plenary meeting	MB (22) 13	MB (22) 22
16 March 2022, virtual meeting	Public debriefing on the outcomes of the 50 th BEREC plenary meetings	n/a	n/a
23 March 2022, Brussels, Belgium	BEREC Stakeholder Forum	n/a	n/a
13 May 2022, virtual meeting	2 nd BAG meeting in 2022	n/a	n/a
19-20 May 2022, hybrid meeting in Dublin, Ireland	2 nd BEREC CN meeting in 2022	BEREC CN (22) 31	BEREC CN (22) 69

Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
8 June 2022, hybrid meeting in Ayia Napa, Cyprus	Heads' Workshop on the Digital Divide	n/a	n/a
9-10 June 2022, hybrid meeting in Ayia Napa, Cyprus	51 st Board of Regulators plenary meeting	BoR (22) 67	BoR (22) 103
9-10 June 2022, hybrid meeting in Ayia Napa, Cyprus	51 st Management Board plenary meeting	MB (22) 25	MB (22) 39
15 June 2022, Brussels, Belgium	Public debriefing on the outcomes of the 51 st BEREC plenary meetings	n/a	n/a
8 September 2022, virtual meeting	3 rd BAG meeting in 2022	n/a	n/a
15-16 September 2022, hybrid meeting in Riga, Latvia	3 rd CN meeting in 2022	BEREC CN (22) 70	BEREC CN (22) 104
5 October 2022, hybrid meeting in Salzburg, Austria	Heads' Workshop on BEREC 2030	n/a	n/a
6-7 October 2022, hybrid meeting in Salzburg, Austria	52 nd Board of Regulators plenary meeting	BoR (22) 127	BoR (22) 158
6-7 October 2022, hybrid meeting in Salzburg, Austria	52 nd Management Board plenary meeting	MB (22) 44	MB (22) 58
12 October 2022, Brussels, Belgium	Public debriefing on the outcomes of the 52 nd BEREC plenary meetings	n/a	n/a

Date and place	Event	Agenda (if applicable)	Conclusions (if applicable)
10 November 2022, virtual meeting	4 th BAG meeting in 2022	n/a	n/a
17-18 November, hybrid meeting in Budapest, Hungary	4 th CN meeting in 2022	BEREC CN (22) 106	BEREC CN (22) 159
8-9 December 2022, hybrid meeting in Prague, Czech Republic	53 rd Board of Regulators plenary meeting	BoR (22) 162	BoR (22) 204
8-9 December 2022, hybrid meeting in Prague, Czech Republic	53 rd Management Board plenary meeting	MB (22) 59	MB (22) 85
14 December 2022, Brussels, Belgium	Public debriefing on the outcomes of the 53 rd BEREC plenary meetings	n/a	n/a

Table 6: Number of uploaded links per section of the ISP in 2022

By the end of 2022, 32 NRAs had uploaded 1461 links to documents. The material most frequently uploaded by the NRAs was statistics and publications (43.4%), followed by consultation (20%).

No	Organisation	Total (active)
1	Decision	157
2	Consultation	161
3	News/other	116
4	Analysis	21
5	Statistics/statistical reports/publications	350
6	CIRCA	1
7	EFIS	1
	TOTAL ACTIVE	807

Table 3: Links uploaded on ISP by NRAs, 2022

Figure 2: Links uploaded on ISP by NRAs, 2022

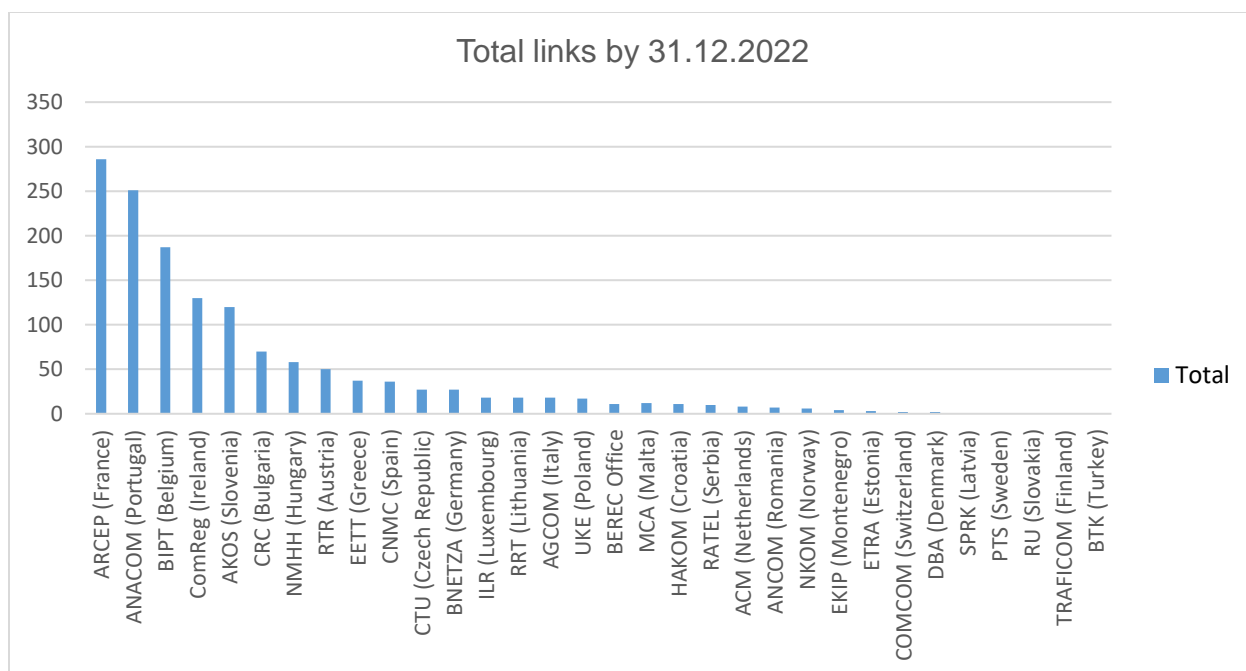
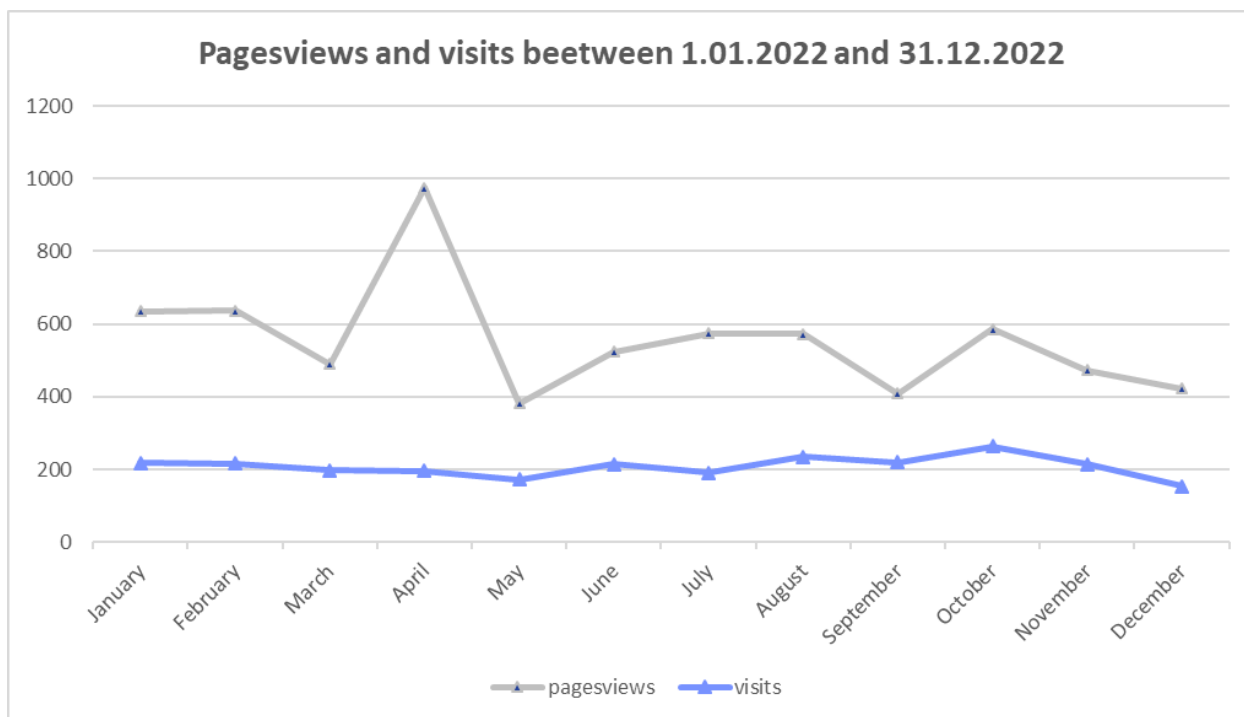


Figure 5: Number of visits to and page views of the ISP

The number of visits to the ISP between January 2022 and December 2022 reached 2493, with 2026 unique visitors. Visits remained stable through 2022 with an average number of 208 visits per month.



The number of page views followed a different trend from the number of visits, showing the highest volume in April 2022, a drop in May 2022. In June, the number started to increase without reaching the same intensity of the first two months of 2022 and then a relative stability in the second semester of 2022 can be observed. On average, the number of page views between January and December 2022 was 556 per month.

Table 7: Most viewed documents on ISP (Top 10)

No	PAGE URL	NRA(Country) /launch date	Unique Page views
	- view-doc		1715
1	Analysis of market of wholesale local access provided at a fixed location for mass-market products	ANACOM(Portugal)/February, 2016	50
2	Pricing of Wholesale Services in the Wholesale Local Access (WLA) market and in the Wholesale Central Access	COMREG(Ireland)/April, 2017	46

No	PAGE URL	NRA(Country) /launch date	Unique Page views
	(WCA) Markets: Further specification of the price control obligations in Market 3a (WLA) and Market 3b (WCA)		
3	Numbering Plan	HAKOM(Croatia)/July, 2022	30
4	RTR presents the outcome of the 5G spectrum award (700 MHz / 1500 MHz / 2.1 GHz)	RTR(Austria)/September, 2020	28
5	Broadband as a Universal Service: Ensuring the availability of an adequate broadband internet access service, including the underlying connection, at a fixed location.	MCA(Malta)/August, 2020	28
6	Guidelines and analysis of mobile network sharing	ARCEP(France)/May, 2016	28
7	Access and call origination on mobile networks – Market 15	NKOM(Norway)/July, 2016	24
8	Market Review: Wholesale High Quality Access at a Fixed Location	COMREG(Ireland)/August, 2016	24
9	CIRCA		22
10	Database for the Annual Report 2019 for Telecommunications Sector	BNETZA(Germany)/May,2020	21

Figure 3: Visits to ISP by country (top 25)

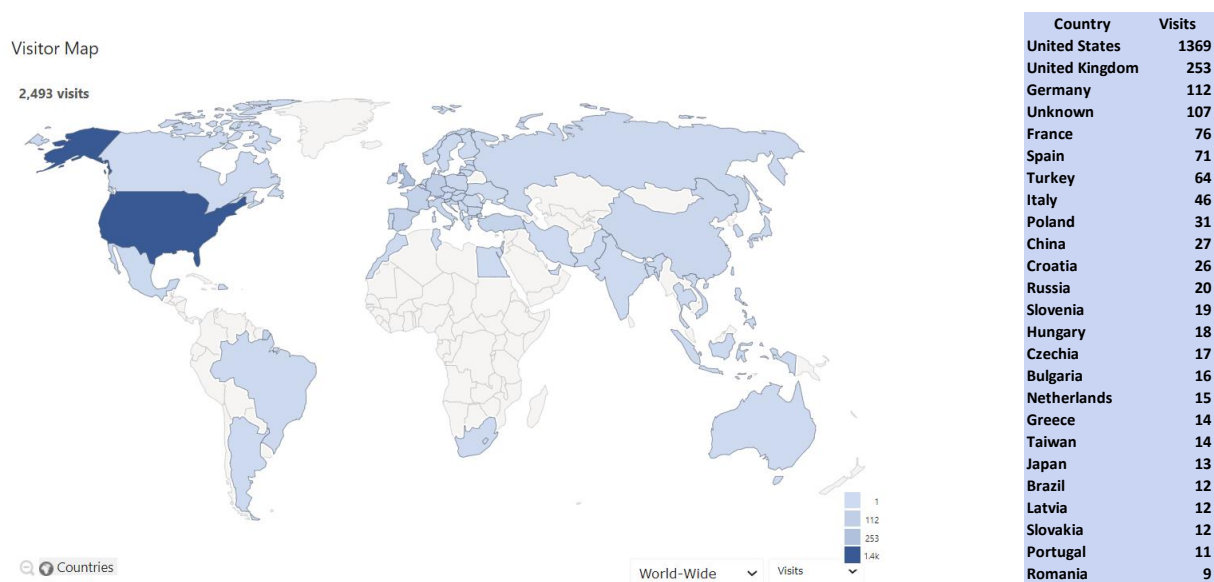


Table 8: WG deliverables in 2022

No	Document No	Documents on BEREC website
1	BoR (22) 16	BEREC response to the public consultation on the draft revised European Commission Guidelines on State aid for broadband networks
2	BoR (22) 32	BEREC Report on the outcome of the public consultation on the Draft BEREC Report on the regulatory treatment for fixed and mobile backhaul
3	BoR (22) 33	BEREC Report on the regulatory treatment for fixed and mobile backhaul
4	BoR (22) 55	Draft BEREC Guidelines on the application of Article 3 of Regulation (EU) 2022/612 of 6 April 2022 on roaming on public communications networks within the Union (Wholesale Roaming Guidelines)
5	BoR (22) 68	Report on the outcome of the public consultation on the draft BEREC Report on a consistent approach to migration and copper switch-off
6	BoR (22) 69	BEREC Report on a consistent approach to migration and copper switch-off
7	BoR (22) 70	BEREC Report on WACC parameter calculations according to the European Commission's WACC Notice (WACC parameters Report 2022)
8	BoR (22) 71	BEREC Report on the outcome of the public consultation on the draft Net Neutrality Regulatory Assessment Methodology
9	BoR (22) 72	BEREC Net Neutrality Regulatory Assessment Methodology
10	BoR(22) 78	BEREC Annual Reports 2021
11	BoR (22) 80	Report on the outcome of public consultation on the Update to the BEREC Guidelines on the Implementation of the Open Internet Regulation
12	BoR (22) 81	BEREC Guidelines on the Implementation of the Open Internet Regulation
13	BoR (22) 83	Draft BEREC Report on Satellite Connectivity for Universal Service
14	BoR (22) 87	Draft BEREC Report on the Internet Ecosystem

No	Document No	Documents on BEREC website
15	BoR (22) 88	Draft BEREC guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (Retail Roaming Guidelines)
16	BoR (22) 90	Draft BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users
17	BoR (22) 92	BEREC Report on the outcomes of Public Consultation on the Draft BEREC Report on Sustainability Assessing BEREC's contribution to limiting the impact on the environment
18	BoR (22) 93	BEREC Report on Sustainability Assessing BEREC's contribution to limiting the impact of the digital sector on the environment
19	BoR (22) 95	BEREC Analysis Monitoring of measures in relation to the war in Ukraine
20	BoR (22) 108	BEREC Opinion on Phase II investigation pursuant to Article 33 of Directive (EU) 2018/1972: Cases PL/2022/2370-2371 Market 3a/2014 and Market 3b/2014 – update of WACC parameters in Poland
21	BoR (22) 117	BEREC Opinion on Phase II investigation pursuant to Article 32 of Directive (EU) 2018/1972: Cases CZ/2022/2372 and 2373 - Wholesale local access provided at a fixed location in the Czech Republic, Wholesale central access provided at a fixed location for mass-market products in the Czech Republic
22	BoR (22) 118	BEREC High-Level Opinion on the ECs proposal for a Data Act
23	BoR (22) 128	BEREC Report on the implementation of the Open Internet Regulation 2022
24	BoR (22) 129	Summary Report on the BEREC Workshop on Digital Divide, 8 June 2022
25	BoR (22) 130	Intra-EU communications BEREC Benchmark Report, April 2021 – March 2022
26	BoR (22) 131	Annex I – BEREC Benchmark Intra-EU communication
27	BoR (22) 132	BEREC Report on Western Balkan Roaming, October 2021 – March 2022
28	BoR (22) 137	BEREC preliminary assessment of the underlying assumptions of payments from large CAPs to ISPs

No	Document No	Documents on BEREC website
29	BoR (22) 138	Summary Report: BEREC Open RAN workshop, 24 May 2022
30	BoR (22) 139	Draft BEREC Report on comparison tools and accreditation
31	BoR (22) 141	BEREC opinion on the Draft Commission implementing decision amending Decision 2007/116/EC as regards the introduction of an additional reserved number beginning with 116 – new helpline for victims of violence against women
32	BoR (22) 142	BEREC Opinion on the draft Commission Delegated Regulation supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112'
33	BoR (22) 144	BEREC Report on the 5G Ecosystem
34	BoR(22) 146	BEREC Report on the outcome of the public consultation on the BEREC Guidelines on the Wholesale Roaming Guidelines
35	BoR(22) 147	BEREC Guidelines on the application of Article 3 of Regulation (EU) 2022/612 of 6 April 2022 on roaming on public communications networks within the Union (Wholesale Roaming Guidelines)
36	BoR (21) 162	BEREC Internal Report on the Open Radio Access Network (RAN)
37	BoR (22) 163	BEREC Opinion for the evaluation of the application of Regulation (EU) 2015-2120
38	BoR (22) 164	BEREC Report Regulatory Accounting in Practice 2022
39	BoR (22) 166	BEREC Report on the outcome of the public consultation on the BEREC Report on the internet ecosystem
40	BoR (22) 167	BEREC Report on the Internet Ecosystem
41	BoR (22) 168	Report on the outcomes of public consultation on the Report on satellite connectivity for universal service
42	BoR (22) 169	Report on satellite connectivity for universal service

No	Document No	Documents on BEREC website
43	BoR (22) 171	BEREC Report on the outcomes of public consultation on the draft BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users
44	BoR (22) 172	Report on measures for ensuring equivalence of access and choice for disabled end-users
45	BoR (22) 173	Report on the outcomes of public consultation on the BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286
46	BoR (22) 174	BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (Retail Roaming Guidelines)
47	BoR (22) 175	BEREC Report on the participation of NRAs in different cybersecurity fora at EU level
48	BoR (22) 183	Report on number-independent interpersonal communication services (NI-ICS) revenue indicators
49	BoR (22) 185	Draft BEREC Report on the regulatory treatment for business services
50	BoR (22) 187	Draft BEREC Report on Interoperability of Number-Independent Interpersonal Communication Services (NI-ICS)
51	BoR (22) 188	Draft BEREC Report on Competition amongst multiple operators of NGA-networks in the same geographical region
52	BoR (22) 191	Draft Report on challenges and benefits of Artificial Intelligence (AI) solutions in the telecommunications sector (including use cases)
53	BoR (22) 194	Report of the outcomes of the Public Consultation on the BEREC Work Programme 2023
54	BoR (22) 197	BEREC Report on ECA Audit recommendations for 5G cybersecurity

Table 9: Register of applications for access to BEREC/BEREC Office documents, 2022

No	Receipt of the initial application (date)	Type of document		Receipt of the confirmatory application, if applicable (date)	Decision taken (full disclosure, partial disclosure, refusal)	Reason(s) for refusal, if applicable
		BEREC document	BEREC Office document			
1	10/01/2022		X	N/A	No documents held	
2	7/01/2022	X		N/A	Partial access	Article 4(2) third indent, protection of on-going investigation; Article 4(2), first indent, protection of commercial interests; Article 4(3) of Regulation No 1049/2001 protection of the on-going decision making process; Art.4.1(b) protection of the privacy and integrity of the individual
3	16/02/2002	X		N/A	No documents held	
4	28/02/2022	X		N/A	No documents held	

No	Receipt of the initial application (date)	Type of document		Receipt of the confirmatory application, if applicable (date)	Decision taken (full disclosure, partial disclosure, refusal)	Reason(s) for refusal, if applicable
		BEREC document	BEREC Office document			
5	3/03/2022	X		24/03/2023	Full disclosure (for some documents) and no documents held	
6	8/03/2022	X		N/A	Full disclosure	
7	8/03/2022	X		N/A	Partial access	Art.4.1.b of the Regulation, protection of the privacy and integrity of the individual
8	8/03/2022	X		N/A	Refusal	Article 4(3) first subparagraph, protection of the decision-making process
9	14/03/2022	X		N/A	No documents held	
10	10/05/2022	X		N/A	Full disclosure	
11	10/06/2022	X		N/A	No documents held	

No	Receipt of the initial application (date)	Type of document		Receipt of the confirmatory application, if applicable (date)	Decision taken (full disclosure, partial disclosure, refusal)	Reason(s) for refusal, if applicable
		BEREC document	BEREC Office document			
12	29/06/2022	X		N/A	Partial access	Art.4.1.b of the Regulation protection of the privacy and integrity of the individual
13	29/06/2022	X		N/A	No documents held	
14	14/07/2022	X		N/A	Full disclosure	
15	04/10/2022	X		N/A	Full disclosure	
16	20/10/2022	X		N/A	Refusal	Art. 4(3) second paragraph, protection of the decision-making process
17	03/11/2022	X		N/A	Refusal	Article 4(3) second paragraph of this Regulation, protection of the decision-making process

Annex II: Statistics on financial management

Table 1: Revenue — appropriations

Revenues in EUR	Budget 2022	Corrigendum	New Appropriations 2022
1. Revenue from fees and charges		N/A – No correction to initial budget in the course of the year	N/A – No correction to the appropriations in the course of the year
2. EU Subsidy	7,428,457		
<i>2.a. of which “fresh” contributions in year 2021</i>	7,337,682		
<i>2.b. of which assigned revenues deriving from previous year 2020 surplus</i>	90,774		
3. Third countries contribution (incl. EFTA and candidate countries)	123,333		
4. Other contributions ⁴⁸	0		
5. Administrative operations	11,215		
<i>Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)</i>	0		
6. Revenues from services rendered against payment	0		
7. Correction of budgetary imbalances	0		
Total revenues	7,563,005		

⁴⁸ Estimated voluntary contributions from Member States or from their NRAs. These contributions shall be used to finance specific items of operational expenditure as defined in an agreement to be concluded between the Office and the Member States of their NRAs.

Table 2: Budgetary transfer 2022

BL No	Budget Line (BL) Description	VOTED BUDGET	Transfer No. 1 - July 2022	Transfer No. 2 - October 2022	Transfer No. 3 - November 2022	Transfer No. 4 - December 2022	Transfer No. 5 - December 2022	BUDGET WITH TRANSFERS
1	STAFF EXPENDITURE	3,854,634.00	133,778.16	167,000.00	0.00	21,596.61	13,778.72	4,190,787.49
1100	Temporary agents' salaries	1,610,241.00	-42,540.85	42,000.00	65,560.33	29,277.08		1,704,537.56
1111	Contract staff and SNEs	1,502,593.00	-70,000.00		37,267.01			1,469,860.01
1200	Recruitment expenses	10,000.00			-2,800.63			7,199.37
1300	Mission expenses, duty travel and other ancillary expenditure	150,000.00					-13,000.00	137,000.00
1400	Medical service	11,000.00	-2,641.00					8,359.00
1500	Training	102,000.00			-4,042.29			97,957.71
1600	External services	448,800.00	248,960.01	125,000.00	-95,879.02	-7,680.47	26,778.72	745,979.24
1700	Representation, receptions and events, and miscellaneous staff expenses	20,000.00			-105.40			19,894.60
2	BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE	1,166,600.00	-61,600.00	-107,000.00	0.00	0.00	2,498.43	1,000,498.43
2000	Rental of buildings	250,000.00	-25,000.00		23,299.89			248,299.89
2100	Data processing and telecommunications	512,600.00					2,930.02	515,530.02
2200	Movable property and associated costs	100,000.00	-10,000.00	-30,000.00	-20,462.72		780.91	40,318.19
2300	Legal and other operational expenditure	266,000.00	-26,600.00	-77,000.00	-2,837.17			159,562.83
2400	Non-operational media and public relations	35,000.00						35,000.00
2500	Non-operational meetings	3,000.00					-1,212.50	1,787.50
3	OPERATIONAL EXPENDITURE IN SUPPORT OF BEREC	2,407,222.00	-72,178.16	-60,000.00	0.00	-21,596.61	-16,277.15	2,237,170.08
3001	BEREC programme management support	653,000.00				-21,596.61	-19,981.34	611,422.05
3101	Operation and strategic support to BEREC and NRAs	1,754,222.00	-72,178.16	-60,000.00			3,704.19	1,625,748.03
	TOTAL BUDGET	7,428,456.00						7,428,456.00

Table 3: Expenditure C1

A. TITLE 1 – STAFF EXPENDITURE

Official Budget Item	Budget Item Description	Sources Available	Commitment Accepted, EUR	% Committed	Payment Accepted, EUR	% Payment
A-1100	Temporary agents` salaries and allowances	1,704,537.56	1,704,537.56	100.00%	1,704,537.56	100.00%
A-1111	Contract staff and seconded national experts	1,469,860.01	1,469,860.01	100.00%	1,469,860.01	100.00%
A-1200	Recruitment expenses	7,199.37	7,199.37	100.00%	7,199.37	100.00%
A-1300	Mission expenses, duty travel and other ancillary expenses	137,000.00	137,000.00	100.00%	112,914.58	82.42%
A-1400	Medical service	8,359.00	8,359.00	100.00%	8,359.00	100.00%
A-1500	Training	97,957.71	97,957.71	100.00%	95,790.13	97.79%
A-1600	External services	745,979.24	745,979.24	100.00%	568,556.24	76.22%
A-1700	Representation and miscellaneous staff costs	19,894.60	19,894.60	100.00%	19,894.60	100.00%
TOTAL TITLE 1		4,190,787.49	4,190,787.49	100.00%	3,987,111.49	95.14%

B. TITLE 2 - BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE

Official Budget Item	Budget Item Description	Sources Available	Commitment Accepted, EUR	% Committed	Payment Accepted, EUR	% Payment
A-2000	Rental of buildings	248,299.89	248,299.89	100.00%	178,185.33	71.76%
A-2100	Information and Communication Technology and Security	515,530.02	514,889.35	99.88%	384,968.28	74.67%
A-2200	Movable property and logistic services	40,318.19	40,318.19	100.00%	35,335.08	87.64%
A-2300	Legal and other operational expenditure	159,562.83	159,562.83	100.00%	143,377.83	89.86%
A-2400	Non-operational media and public relations	35,000.00	34,999.58	100.00%	22,992.80	65.69%
A-2500	Non-operational meetings	1,787.50	1,787.21	99.98%	1,787.21	99.98%
TOTAL TITLE 2		1,000,498.43	999,857.05	99.94%	766,646.53	76.63%

C. TITLE 3 - OPERATIONAL EXPENDITURE IN SUPPORT OF BEREK

Official Budget Item	Budget Item Description	Sources Available	Commitment Accepted, EUR	% Committed	Payment Accepted, EUR	% Payment
B 3001	Support to the BEREK WGs	611,422.05	611,372.05	99.99%	430,394.50	70.39%
B 3101	Other support activities to BEREK and NRAs	1,625,748.03	1,625,391.96	99.98%	964,757.91	59.34%
TOTAL TITLE 3		2,237,170.08	2,236,764.01	99.98%	1,395,152.41	62.36%

D. TOTAL BUDGET EXECUTION

TOTAL TITLE 1-3		7,428,456.00	7,427,408.55	99.99%	6,148,910.43	82.78%
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Table 4: Expenditure C8 credits (C8 2021)

TITLE	Official Budget item	Budget Item Description	Carried over, EUR	Consumed, EUR	Cancelled, EUR	% Consumed
TITLE 1	A-1300	Mission expenses, duty travel expenses and other ancillary expenditure	8,476.53	8,476.53	0.00	100.00%
	A-1500	Training	11,911.22	11,911.22	0.00	100.00%
	A-1600	External services	184,584.40	182,144.20	2,440.20	98.68%
	A-1700	Representation, receptions and events, and miscellaneous staff expenses	14,156.00	13,765.00	391.00	97.24%
	TOTAL			219,128.15	216,296.95	2,831.2
TITLE 2	A-2000	Rent of building and associated costs	49,377.52	47,680.56	1,696.96	96.56%
	A-2100	Information and communication technology and security	285,696.10	277,461.33	8,234.77	97.12%
	A-2200	Movable property and logistic services	78,653.73	78,295.26	358.47	99.54%
	A-2300	Legal and other operating services	95,380.68	95,354.53	26.15	99.97%
	A-2400	Non-operational media and public relations	62,910.91	62,904.49	6.42	99.99%
	TOTAL			572,018.94	561,696.17	10,322.77
TITLE 3	B-3001	BEREC Programme Management Support	134,526.11	134,358.20	167.91	99.88%
	B-3101	Operation and strategic support to BEREC	1,327,717.31	1,310,190.88	17,526.43	98.68%
	TOTAL			1,462,243.42	1,444,549.08	17,694.34
TOTAL C8:			2,253,390.51	2,222,542.20	30,848.31	98.63%

Table 5: Expenditure C4 and C5 credits (C4;C5/2022)

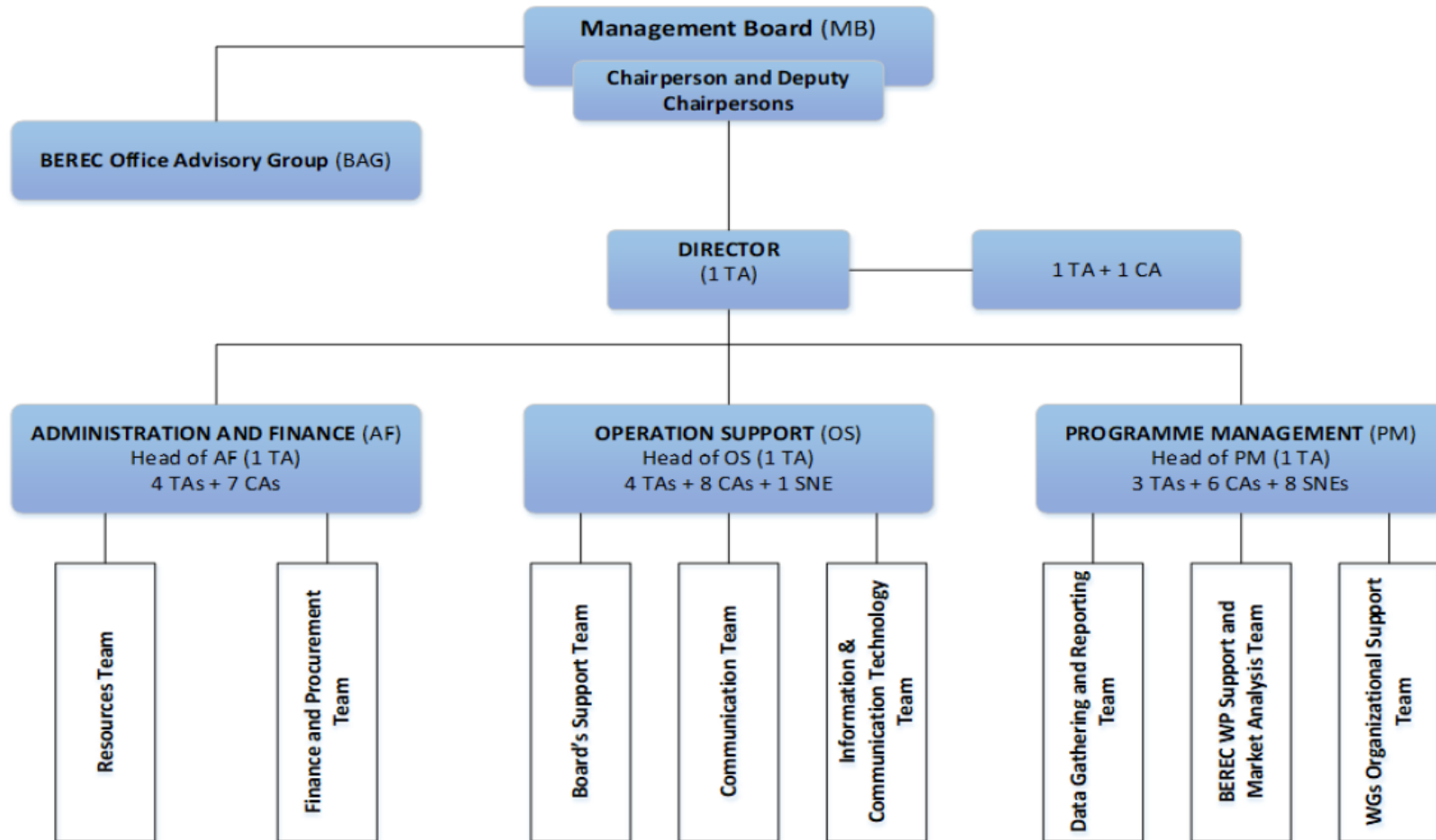
Fund source	Official Budget Item	Budget Item Description	Sources Available	Commitment Accepted, EUR	% Committed	Payment Accepted, EUR	% Payment
C4	A-1600	External services	134,547.72	83,223.60	61.85%	79,473.00	59.07%
C5	A-2100	Information and Communication Technology and Security	38.13	38.13	100.00%	38.13	100.00%
		TOTAL C4,C5	134,585.85	83,261.73	61.87%	79,511.13	59.08%

Table 6: Payment times

AVERAGE PAYMENT TIMES FOR 2022									
Legal Times									
Maximum Payment Time (Days)	Total Nbr of Payments	Nbr of Payments within Time Limit	Percentage	Average Payment Times (Days)	Nbr of Late Payments	Percentage	Average Payment Times (Days)	Late Payments Amount	Percentage
30	1167	1136	97 %	12.7	31	2.66 %	40.1	41,808.40	0.9 %
34	1	1	100 %	10					
35	1	1	100 %	20					
40	1	1	100 %	8					
41	1	1	100 %	32					
45	10	10	100 %	19					
46	1	1	100 %	12					
60	18	18	100 %	15					
Total Number of Payments	1200	1169	97.42 %						
Average Net Payment Time	13.46			12.76			40.06		
Average Gross Payment Time	13.73			12.99			41.68		
Suspensions									
Average Report Approval Suspension	Average Payment Suspension Days	Number of Suspended Payments	% of Total Number	Total Number of Payments	Amount of Suspended Payments	% of Total Amount	Total Paid Amount		
0	21	15	1.25 %	1200	134,096.22	2.55 %	5,258,974.25		

No late interest was paid by the BERIC Office in 2022

Annex III: Organisational chart of the BEREC Office



Abbreviations:

TA – temporary agent

CA – contract agent

SNE – seconded national expert

Annex IV: Establishment plan

Table 1: Information about authorised and filled posts in 2020-2022

Temporary agents						
Function group and grade	2020		2021		2022	
	Authorised under the EU budget	Filled as of 31.12.2020	Authorised under the EU budget	Filled as of 31.12.2021	Authorised under the EU budget	Filled as of 31.12.2022
AD 16						
AD 15						
AD 14	1	1	1	1	1	1
AD 13						
AD 12					1	
AD 11	1		1	1	1	1
AD 10	2	2	2	1	2	1
AD 9	2	1	2	3	3	3
AD 8	2	2	2		2	
AD 7	2		2		1	3
AD 6	2	5	2	5	2	3
AD 5	1		1	1		1
Total grade AD	13	11	13	12	13	13
AST 11						
AST 10						
AST 9						
AST 8						

Temporary agents						
Function group and grade	2020		2021		2022	
	Authorised under the EU budget	Filled as of 31.12.2020	Authorised under the EU budget	Filled as of 31.12.2021	Authorised under the EU budget	Filled as of 31.12.2022
AST 7					1	
AST 6	1		2		1	1
AST 5	1	1	1	1	1	1
AST 4	1	2		2		
AST 3						1
AST 2						
AST 1						
Total grade AST	3	3	3	3	3	3
AST/SC6						
AST/SC 5						
AST/SC 4						
AST/SC 3						
AST/SC 2						
AST/SC 1						
Total grade AST/SC						
GRAND TOTAL	16	14	16	15	16	16

Table 2: Information on the entry level for each type of post: indicative table:

Key functions	Type of contract (official, TA or CA)	Function group, grade of recruitment ⁴⁹	Indication whether the function is dedicated to administration support or operations
CORE FUNCTIONS			
Director (Level 1)	TA	AD 14	TOP COORD — FIN/CONT
Head of Unit — Administration and Finance (Level 2)	TA	AD 9	RES DIR/HoA — FIN/CONT
Head of Unit — Programme Management (Level 2)	TA	AD 9	TOP COORD
Head of Unit — Operation Support (Level 2)	TA	AD 9	TOP COORD
Senior Officer — Senior Programme Manager (Level 3)	TA	AD 7	GEN OPER
Administrator — Team Leader Resources (Level 3)	TA	AD 6	HR
Administrator — Team Leader, Procurement and Finance (Level 3)	TA	AD 6	FIN/CONT — PGM
Administrator — Team Leader, ICT (Level 3)	TA	AD 6	PGM
Team Leader — Boards' Support, Document Management Officer (Level 3)	TA	AD 6	GEN OPER — TOP COORD
Administrator — Team Leader Communications (Level 3)	TA	AD6	PGM M/IMPL
Officer — Local Security Officer (Level 3)	TA	AD 5	LOG - ICT
Officer — Legal Officer, DPO (reporting directly to level 1)	TA	AD 7	LEGAL — GEN OPER

⁴⁹ Entry level for external selection

Officer - Advisor/Assistant to Director (reporting directly to level 1)	CA	FGIV	T/OP COORD – GEN OPER
Officer Data Analyst	CA	FIGIV	PGM
SNE — Programme Manager	SNE	SNE	PGM
SNE – Boards’ Support Officer	SNE	SNE	GEN OPER
Officer — Communication Officer (Level 3)	CA	FG IV	PGM M/IMPL
Officer – ICT Officer	CA	FGIV	ICT — PGM
Officer — Support Officer in Programme Management Unit (Level 3)	CA	FG IV	PGM
Officer — Procurement and Legal Officer (Level 3)	CA	FG IV	FIN/CONT — PGM
Officer — HR Support Officer (Level 3)	CA	FG IV	HR
Officer — HR Support Officer (Level 3)	CA	FG IV	HR — FIN/CONT
Officer — Budget and Reporting Officer (level 3)	CA	FG IV	FIN/CONT
Officer — Budget and Reporting Officer (level 3)	CA	FG IV	FIN/CONT
Assistant — Programme Management Assistant (Level 3)	TA	AST 3	PGM
Assistant — Budget and Finance Assistant, Mission Officer (Level 3)	TA	AST 3	FIN/CONT
Assistant — Finance and Accounting Assistant (Level 3)	TA	AST 3	FIN/CONT
Assistant – Communications Assistant (Level 3)	CA	FGIII	PGM — M/IMPL
Assistant — ICT Assistant (Level 3)	CA	FG III	ICT — PGM
Assistant — Financial Assistant (Level 3)	CA	FG III	FIN/CONT
Assistant – Facilities Assistant (Level 3)	CA	FG III	LOG
Assistant – Boards’ Support Assistant (Level 3)	CA	FG II	GEN OPER — TOP COORD
Assistant — ICT, Logistics, Security and Facilities Management Assistant	CA	FG II	ICT — PGM

(Level 3)			
Assistant — Administrative Coordination Assistant (Level 3)	CA	FG II	FIN/CONT
Assistant — Event Management and Administrative Assistant (Level 3)	CA	FG II	PGM
Assistant HR (Level 3)	CA	FG III	HR

Table 3: Information on the gender distribution of staff

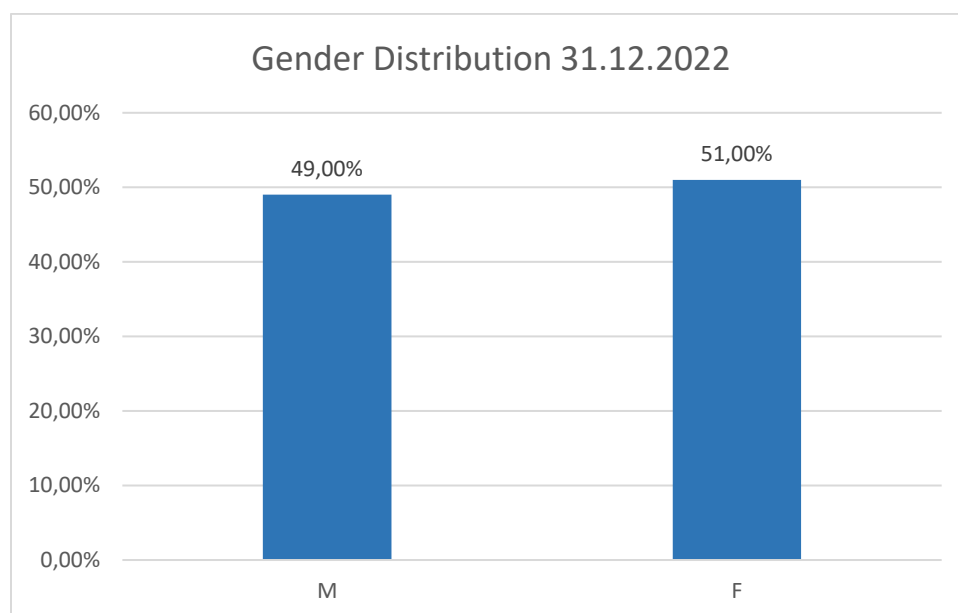


Table 4: Information on the geographical distribution of staff

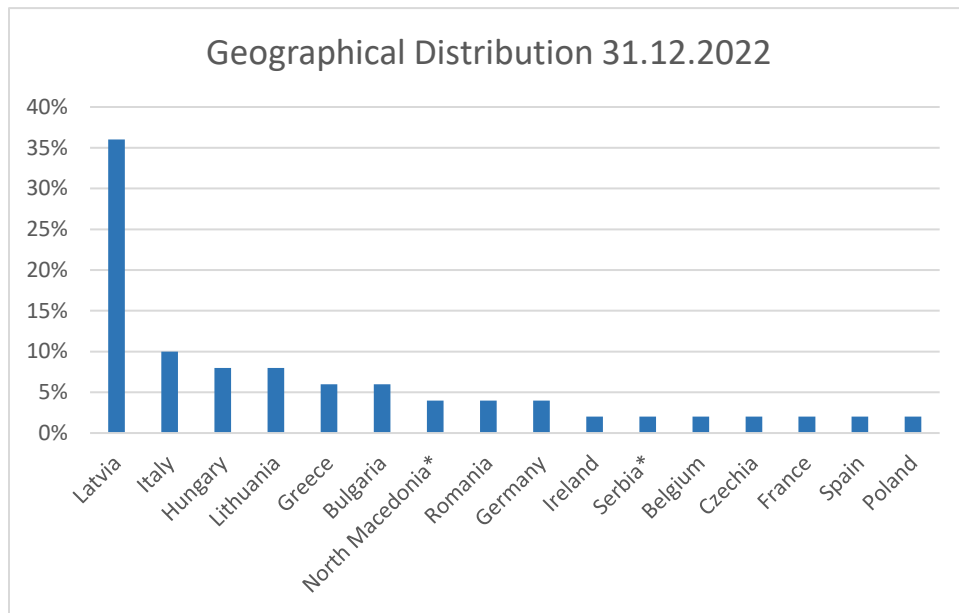


Table 5: Benchmarking against previous year's results

Job type (sub)category	2020 (%)	2021 (%)⁵⁰	2022⁵¹ (%)
Administrative support and coordination	8.51	10.64	10.64
Administrative support	7.45	9.57	9.57
Coordination	1.06	1.06	1.06
Operational	75.53	73.40	73.40
Top-level operational coordination	6.38	7.45	7.45
Programme management and implementation	53.19	48.94	48.94
Evaluation and impact assessment	0	0	
General operational	15.96	17.02	17.02
Neutral	15.96	15.96	15.96
Finance/control	15.96	15.96	15.96
Linguistics	0	0	0

⁵⁰ The data take into account the redistribution of tasks and the reorganisation of work implemented in 2020

⁵¹ The data take into account the redistribution of tasks and the reorganisation of work implemented in 2020.

Table 6: Implementing rules adopted in 2022

Decision number	Entry into force	Decision title
C(2022) 1788 of 24/03/2022/ MB/2022/03	1/07/2022	Commission Decision C(2022) 1788 of 24/03/2022 on working time and hybrid working
MB/2022/05	10/12/2022	Decision of the BEREC Office Management Board on the probationary period, management trial period and concerning the appraisal of the Director and repealing Decision MC (10) 26 concerning the appraisal for the administrative manager
MB/2022/07	10/12/2022	Decision of the BEREC Office Management Board laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings

Table 7: Flexitime recuperation days taken per grade

Function Group and grade	Flexitime recuperation (days)
Contract Agents	57,5
FG IV	35
FG III	14
FG II	8,5
Temporary Agents	35,5
AD 9	2
AD 7	17,5
AD 6	10,5
AD 5	2
AST 6	1,5
AST 5	1
AST 3	1
Total (CAs & TAs)	93

Annex V: Human and financial resources by BEREC Office activity

BEREC Office Activity 2022	Financial resources used ⁵²	FTEs used
I. Operational		28.43
Support to BEREC Working Groups and phase II cases	€ 1,657,261.04	16.66 ⁵³
High level meetings and support to the Boards	€ 698,836.49	3.19
ICT support to BEREC, of which:	€ 1,110,320.13	4.25
-IT Support, licenses, hardware and business continuity for BEREC	€ 499,206.91	1.79
-IT Projects for BEREC	€ 611,113.22	2.46
Information gathering and distribution, of which:	€ 569,410.14	0.51
-Regulatory information and training for BEREC	€ 68,722.75	0.05
-Studies and other projects for BEREC	€ 500,687.38	0.46 ⁵⁴
BEREC Communications activities	€ 683,541.82	3.72⁵⁵
II. Horizontal		21.43
Coordination activities, of which:	€ 713,349.33	13.01
-General coordination activities	€ 518,251.15	4.35 ⁵⁶
-Communications activities	€ 83,411.69	0.47
-Legal advice and data protection	€ 111,686.50	1.05
Centralized finance and procurement⁵⁷	€ 527,423.26	7.14⁵⁸
Human resources management	€ 257,606.84	2.75⁵⁹
ICT, security and document management, of which:	€ 840,414.24	4.01
-ICT systems	€ 508,531.93	2.49
-Security and business continuity of the Agency	€ 331,882.31	1.52
Facility management and logistics	€ 369,245.27	1.66⁶⁰
Total	€ 7,427,408.55	49.86

⁵² Amounts committed on 31/12/2022

⁵³ Including 0.98 FTEs interim worker for replacement of a vacant CA FG IV post at Programme Management Unit

⁵⁴ Including 0.90 FTE interim worker for specific project in the area of ICT

⁵⁵ Including 0.95 FTE interim worker for specific project on BEREC Website

⁵⁶ Including 1.53 FTE interim worker to act as interim liaising mechanism before establishment of the Liaison Office

⁵⁷ For BEREC and BEREC Office activity

⁵⁸ Including 1.66 FTE interim worker for replacement of staff members on long term absence in the area of budget and finance

⁵⁹ Including 0.28 interim worker for replacement of a vacant post for CA FG III in the area of HR

⁶⁰ Including 0.96 FTE interim for replacement of a vacant post for CA FG III in facility management

Annex VI: Specific annexes related to Part II

Table 1: 2022 electronic voting procedures of the BEREC Office MB

№	Subject	Comments Round		Voting Round	
		Start (link to launch)	End	Start (link to launch)	End (link to report)
1.	Draft SPD of the Activities of the Agency for Support for BEREC ('BEREC Office') for the period 2023-2025	17 January 2022	21 January 2022	25 January 2022	31 January 2022
2.	MB decision on the appointment of the ENG Co-Chairs	17 January 2022	21 January 2022	25 January 2022	31 January 2022
3.	CAAR 2021 and Final Account 2021	14 June 2022	20 June 2022	22 June 2022	28 June 2022
4.	SPD of the Activities of the Agency for Support for BEREC ('BEREC Office') for the period 2023-2025 & Budget 2023	9 December 2022	12 December 2022	13 December 2022	15 December 2022

Table 2: Overview of public documents adopted in 2022 by the BEREC Office Management Board (MB)**Decisions**

Document number	Document date	Document title/hyperlink to document
MB/2022/01	31 January 2022	Decision No MB/2020/01 of the Management Board of the Agency for Support for BEREC ('BEREC Office') on the adoption of the draft Single Programming Document of the BEREC Office Activities for the period 2023-2025
MB/2022/02	31 January 2022	Decision No MB/2022/02 of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the appointment of the Co-Chairs of the Expert Networking Groups
MB/2022/03	10 June 2022	Decision No MB/2022/03 of the Management Board of the Agency for Support for BEREC for applying Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working by analogy
MB/2022/04	7 October 2022	Decision No MB/2022/04 of the Management Board of the Agency for Support for BEREC on the approval of budgetary transfer from Title 2 to Title 1 in accordance with Article 26 (2) of Decision No MB/2019/13
MB/2022/05	9 December	Decision No MB/2022/05 of the Management Board of the Agency for Support for BEREC on the probationary period, management trial period and appraisal of the Director and repealing Decision MC (10) 26 concerning the appraisal for the administrative manager
MB/2022/06	9 December	Decision No MB/2022/06 of the Management Board of the Agency for Support for BEREC (BEREC Office) on the designation of the Reporting Officers to appraise the Director of the BEREC Office
MB/2022/07	9 December	Decision MB/2022/07 of the Management Board of the Agency for Support for BEREC laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings

Document number	Document date	Document title/hyperlink to document
MB/2022/08	9 December	Decision No MB/2022/08 of the Management Board of the Agency for Support for BEREC to establish Working Arrangements between the Body of European Regulators for Electronic Communications (BEREC) and the NRA of Ukraine
MB/2022/09	9 December	Decision MB/2022/09 of the Management Board of the Agency for Support for BEREC (the BEREC Office) on the appointment of the BAG Chair
MB/2022/10	15 December	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

BEREC Office MB opinion

Document number	Document date	Document title/hyperlink to document
MB (22) 35	29 June 2022	Opinion of the BEREC Office MB concerning the final accounts of the year 2021

BEREC Office Work Programme

Document number	Document date	Document title/hyperlink to document
MB (22) 81	14 December 2022	Single Programming Document of the Agency for Support for BEREC ('BEREC Office') for 2023-2025

BEREC Office Consolidated Activity Report 2021

Document number	Document date	Document title/hyperlink to document
MB (22) 34	29 June 2022	2021 Consolidated Annual Activity Report of the BEREC Office

Agendas for the 2022 ordinary meetings of the BEREC Office MB

Document number	Document date	Document title/hyperlink to document
MB (22) 13	28 February 2022	Draft Agenda for 50th Management Board (MB) virtual meeting in 2022
MB (22) 25	27 May 2022	Draft Agenda for 51st Management Board (MB) hybrid meeting in 2022
MB (22) 44	30 September 2022	Draft Agenda for 52nd Management Board (MB) hybrid meeting in 2022
MB (22) 59	6 December 2022	Draft Agenda for 53rd Management Board (MB) hybrid meeting in 2022

Conclusions of the 2022 meetings of the BEREC Office MB

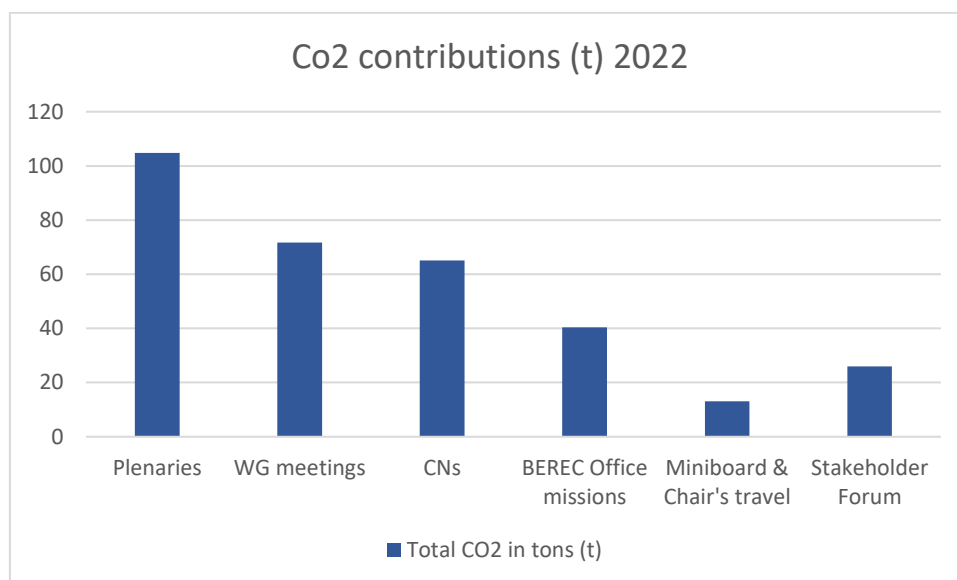
Document number	Document date	Document title/hyperlink to document
MB (22) 22	11 March 2022	Conclusions of the 50th Ordinary Plenary Meeting of the BEREC Office Management Board
MB (22) 39	10 June 2022	Conclusions of the 51st Ordinary Plenary Meeting of the BEREC Office Management Board
MB (22) 58	7 October 2022	Conclusions of the 52nd Ordinary Plenary Meeting of the BEREC Office Management Board
MB (22) 85	9 December 2022	Conclusions of the 53rd Ordinary Plenary Meeting of the BEREC Office Management Board

Annex VII: Final annual accounts

Presented in a separate file.

Annex VIII: Environment management

The BEREC Office is duly taking into consideration the impact of its operations on the environment and is constantly enhancing measures to reduce this impact. The two main factors that may affect the sustainability of an organisation like the BEREC Office are '*how the running of an organisation affects sustainability*' (such as the internal use of paper, plastic, water or CO₂ emissions) and '*how sustainability has been considered in the overall strategy and operations of the organisation*'.



Some elements related to the first factor have been recently assessed for the activities of BEREC and of the BEREC Office. There is no doubt that one of the main environmental impacts is CO₂ emissions from air travel. The BEREC Office has used the ICAO methodology⁶¹ to determine that, in 2022, air-travel linked to the activities of BEREC / the BEREC Office generated 321 tonnes of CO₂, compared to 69 tonnes in 2021. The above figure shows CO₂ emissions arising from the different categories of BEREC / BEREC Office meetings in 2022. In 2022, 239 flights were taken by experts who participated in physical WG and ENG meetings, as compared to 28 flights in 2021 and 215 flights in 2020.

In an effort to combat the environmental impact of air travel, and to save time and financial resources, a few years ago the BEREC Office introduced a modern Audio-Video Conferencing (AVC) facility which allows remote participation in meetings. This facility is extensively used during BEREC events and meetings and it allows to limit the need for face-to-face meetings. In total 505 virtual WG meetings took place in 2022, gathering more than 12 000 participants. In this way, more than 3636 tons of CO₂ emissions were saved in 2022.

Another factor contributing to reduce CO₂ emissions is the location of the BEREC Office premises in the centre of the city. There are good connections by public transport and most staff members come to work by using public transport or bicycles, and only a minority uses cars.

Although the BEREC Office does not own its premises and despite the historical constraints

⁶¹ <https://www.icao.int/environmental-protection/CarbonOffset/Pages/default.aspx>

of the building, it has taken action to improve the thermal insulation of its premises and reduce energy use, such as installing insulated glazing to reduce energy costs. During the renovation of the lighting system in part of the premises, low energy use solutions were chosen to comply with the European Directive on the energy performance of buildings.

The BEREC Office has significantly reduced its paper consumption by using the EC electronic document management system HAN (Hermes-Ares-NomCom), which is linked to the EC account system (ABAC). Since the beginning of 2020, with the introduction of the EC mission processing system (MiPS), the BEREC Office has managed staff missions electronically and no paper files are required anymore. In 2020, the BEREC Office introduced the use of electronic files for training as part of the BEREC Office Traineeship Programme. The BEREC Office also continued using the electronic procurement portal e-Submission, which shortens the duration of the procurement procedure, ensures electronic opening of tenders and eliminates the need for keeping paper files. The electronic opening of tenders using videoconference technology has proved particularly advantageous during the Covid-19 pandemic as it ensured that BEREC Office staff members did not have to be present at the office to manage the opening session.

Furthermore, the BEREC Office has improved its waste collection to 100% for glass, paper and plastics. The BEREC Office is working to purchase eco-friendly supplies in order to continue actively reducing its environmental impact.

BEREC included sustainability as a key element of its high-level strategic priorities for the period 2021-2025⁶² committing to “assess how to contribute to more sustainability by adding an environmental focus to its workstreams and the running of BEREC as an organisation, taking into account the objectives of the European Commission to be proposed in the Green Deal.”

In line with this, the ENG Sustainability, initially set up in 2020, continued its work and received an extended mandate from the BEREC Management Board at the 3rd Plenary 2022 to start drafting a Multiannual Greening Action Plan (including setting of clear targets) for BEREC and the BEREC Office. The adoption of the Action Plan by the BoR is expected for the 3rd Plenary in 2023. In addition to that, the process for achieving EMAS certification has been included as a task in the BEREC Office's SPD 2023-2025 and an internal EMAS task force has been set up in Q4 2022.

BEREC/BEREC Office are also cooperating closely on this subject with the EU Agencies Network's Greening Network, the European Commission and other international organisations.

⁶²https://www.berec.europa.eu/sites/default/files/files/document_register_store/2020/10/BoR%20%2820%29%20108%20BEREC%20strategy%202021-25_final.pdf

Annex IX: Overview of the key performance indicators (KPIs) identified in the Single Programming Document (SPD) for 2021-2023

WP 2022 section reference	BEREC OFFICE SPD 2022 KPIs			
2.1 Support to BEREC WGs and phase II cases	Objective: Provision of administrative and professional support to WGs			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Provision of virtual WG meetings (in total)	490	≤400	505
	2. Provision of support to physical WG meetings	2	≤50	27
	3. Provision of support to workshops with external experts (physical & virtual)	9	≤9	5
	4. Provision of support to participation in 3rd party meetings (physical & virtual)	0	≤5	3
	5. Provision of ad hoc meeting under Article 32/33 procedures (former Art 7/7A)	13	≤5	18
	6. Level of satisfaction of WG meeting organisation (measure the level of satisfaction of the WG co-chairs on a 5 grade scale on the basis of multiple questions)	20	85% of responses are in the top 2 scores	91.1%
	7. Level of satisfaction of responses and communication (measure the level of satisfaction of the WG co-chairs on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	89.5%
	8. Level of satisfaction of provided support to WGs (measure the level of satisfaction of the WG co-chairs on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	87.8%
9. Level of satisfaction of data collection exercises (measure the level of satisfaction of the WG co-chairs on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	90%	

10. Level of satisfaction of pre-draft documents (measure the level of satisfaction of the WG co-chairs on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	86.1%
11. Carbon footprint of WG meetings	n/a	n/a ⁶³	72 t

2.2 High level meetings and support to the Boards	Objective: To provide efficient professional and administrative supporting services to the Chair and Vice-Chairs of the BoR, Chairperson and Deputy Chairpersons of the MB of the BEREC Office, Miniboard, the BoR and MB, the CN and BAG in execution of their tasks and responsibilities, including cooperation and liaison with the EC, EP, the Council, other Union bodies, offices, agencies, advisory groups, regulatory authorities of third countries, international organisations, and other stakeholders.			
	Indicators	Results 2021	Target 2022	Results 2022
	Level of satisfaction with high-level meetings (measure the level of satisfaction of the CN members, WG Co-Chairs and the Miniboard on a 5 grade scale on the basis of multiple questions)	94%	85% of responses are in the top 2 scores	93%

2.3. ICT support to BEREC	Objective: Enable operations by maintaining high availability of IT services (dedicated applications, databases, and websites) in regard to IT infrastructure and services (on prem. and cloud). Provision of necessary licenses and IT support. Provision of expertise on ICT matters in support to BEREC (knowledge exchange).			
	Indicators	Results 2021	Target 2022	Results 2022
	1. System Availability: BERECNet+ Website	99,5% 99,5%	>99,8% >99,8%	99.9% 99.9%
	2. Ratio of tickets require more than 1.5 days resolution time	n/a	<10%	2.23%

⁶³ This indicator will be measured for the first time in 2022, therefore it is difficult to set its targeted value without compassion to previous years.

Objective: Development and maintenance of ICT systems according to BEREC regulation. Maintenance and availability of the existing products for ensuring their reliability, their need to meet evolving business needs and the need to be kept interoperable with other systems overtime.			
Indicators	Results 2021	Target 2022	Results 2022
Support man days of external service provider	n/a	- 750	748
Objective: Creation of “BEREC ICT strategy 2022-2025”			
Indicators	Results 2021	Target 2022	Results 2022
Signature of contract in support to the development of “BEREC ICT strategy 2022-2025”	Postponed to 2022 due to contract unavailability of such services	Signed contract by the end of Q4 of 2022	Further postponed to 2024

2.4 Information gathering and distribution	Objective: Provision of information and knowledge dissemination			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Provision of training courses per academic year for NRA experts	4	4	2 ⁶⁴
	2. Satisfaction in organisation of trainings (measure the level of satisfaction on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	97%
	3. Satisfaction on the content/delivery of the trainings (measure the level of satisfaction on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	91%
	Objective: Ensure visibility and further improved quality of BEREC deliverables			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Satisfaction on studies & projects (measure the level of satisfaction on a 5 grade scale on the basis of multiple questions)	n/a	85% of responses are in the top 2 scores	94%
	2. Number of documents sent for language service	2	≥5	2
	Objective: Improvement of reimbursement process through the AGM tool			
	Indicators	Results 2021	Target 2022	Results 2022
	Reimbursement of the expenses of the meeting participants invited to the BEREC and BEREC Office events in compliance with the applicable BEREC Office rules and within the deadlines envisaged in the BEREC Office Financial Regulation	137	>800 experts	169

⁶⁴ The course on Regulatory Framework and the course on Communication issues took place in 2022; the course on Sustainability issues was carried over from 2021 and finalised in Q1 2023, thus no need arose for the experts to have the same course within the same year; the course for the WG/ENG co-Chairs was postponed to the next year due to end of mandate of the co-Chairs by the end of 2022 and election of the new co-Chairs.

2.5. Expert Networking Groups	Objective: Provision of expertise in the ICT domain in support to BEREC			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Provision of virtual WG meetings (ICT ENG)	7	10	11
	2. Provision of support of physical WG meetings (ICT ENG)	1	2	1 ⁶⁵
	Objective: Provision of expertise on communications matters in support to BEREC			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Provision of virtual WG meetings (Communications ENG)	2	up to 6	27
	2. Provision of support of physical WG meetings (Communications ENG)	4	up to 4	6
	Objective: Provision of expertise on specific matters requested by the BEREC Office in support to BEREC			
	Indicators	Results 2021	Target 2022	Results 2022
1. Provision of virtual WG meetings (Sustainability ENG)	5	≤12	2	
2. Provision of support of physical WG meetings (Sustainability ENG)	0	≤3	1	
2.6 BEREC Communications activities	Objective: To provide efficient professional and administrative support services to BEREC in the implementation of the BEREC External Communications Strategy and the BEREC Communications Plan 2022			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Number of live connections at all BEREC public events with the livestream	793	Up to 500	1071
	2. Number of mentions of BEREC on social media (Twitter LinkedIn)	736	500	1080
	3. Target satisfaction (BEREC Chair) on BEREC public events regarding the logistics	95,3%	85%	94.7%
2.7 Coordinati on activities	Objective: Delivery of BEREC Office planning and reporting documents within the set deadlines and smooth running of activities linked to audit management, budgetary discharge, internal controls and risk management			
	Indicators	Results 2021	Target 2022	Results 2022

⁶⁵ The second intended physical meeting took place virtually due to easier logistics and indicated availability of the members for the chosen date

1. Compliance with legal deadlines or deadlines for submission of documents to MB ordinary meetings	100%	100 % of FR deadlines are met	100%
2. Number of IAS audit recommendations	On-going audit, final results expected in 2022	<3	3
Objective: Implementation of the ratified Headquarters Agreement, which envisage regular interaction between BEREK Office and Host Member State in order to ensure smooth and efficient functioning of the BEREK Office.			
Indicators	Results 2021	Target 2022	Results 2022
Number of meetings organised	8	4	7
Objective: To provide professional and administrative support to the BEREK Management Board in implementing the BEREK Office communications activities			
Indicators	Results 2021	Target 2022	Results 2022
1. Number of events organized	3	up to 4	4
2. Number of info items and promotional activities produced (social media posts, newsletters, news, press releases, etc.)	60	20	60
3. Number of internal info items (newsletters to staff and to the MB)	46	30	53
Objective: Timely processing of applications for access to documents			
Indicators	Results 2021	Target 2022	Results 2022
Applications processed within 15 working days	100%	100%	100%
Objective: Effective and efficient protection of personal data			
Indicators	Results 2021	Target 2022	Results 2022
1. Number of data protection policies (or DPO notification) in place compared to the number of processing operations identified	85%	90%	90%

	2. Number of personal data breaches notified to the EDPS	1	≤ 3	0
	3. Negative references to the BEREC Office in the European Data Protection Supervisor (EDPS) annual report	0	≤ 2	0
	4. Number of internal trainings organised for newcomers	2	Training is provided to each group of newcomers	4

2.8 Centralised finance and procurement	Objective: Timely provision of state-of-the-art supplies and services in support to BEREC and for the needs of the BEREC Office and smooth running of activities linked to finance and budget management and accounting			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Number of launched procurement procedures per type (NP1, NP3, NP5, OT, RoC and other).	18	30	28 ⁶⁶
	2. Commitment appropriations' rate	99.97%	≥95 %	99.99%
	3. Cancellation rate of commitment and payment appropriations carried over	1.14%	≤5 %	1.37%
4. Payments of contractual obligations within the limits set by the Financial Regulation	96.90%	≥95 %	97.42%	

⁶⁶ Initially there were 30 procurement procedures planned, however 28 procedures were requested to launch.

2.9 Human Resources (HR) management	Objective: To maintain the appropriate HR capacity in line with the Agency's updated multiannual staff policy plan approved by the MB and to develop the skills required to offer the necessary support to BEREC and its members			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Fully staffed indicator (Nr of TAs, CAs, SNEs and interim staff / max. number of a fully staffed BEREC Office)	102%	100%	102% ⁶⁷
	2. Average duration of absences for sick leave (TAs, CAs and SNEs and trainees)	0.24	Reduce	0.34
	3. Gender balance (TA, CA, SNE and trainees)	52% Female 48% Male	50% Female 50% Male	49% Female 51% Male
	4. Geographical balance (TA; CA; SNE and trainees nationalities)	48% of 27 EU MS	55% of 27 EU member states	52% of 27 EU MS
	5. Staff turnover (Ratio of total number of leavers divided by average number of staff at the beginning period and end period) per category of staff and total; a) establishment plan posts (TAs); external staff: b) CAs; c) SNEs; d) total (all staff: TAs + CAs +SNEs)	a) 6.9% b) 4.8% c) 0.0% d) 4.6%	Reduce	a) 13.33%; b) 20.51%; c) 11.76%; d) 16.28%
	6. Average duration of contracts (TA and CA (combined and split per category of staff))	TA + CA: 3.23 years; TA: 4.12 years; CA: 2.36 years	At least 3 years	TA+CA: 3.33 years; TA: 4.17 years; CA: 2.56 years
	7. Job screening and benchmark (Percentage of operational, neutral and administrative jobs)	Operational – 73.4% Neutral – 15.96% Administrative – 10.64%	Maintain	Operational – 73.4% Neutral – 15.96% Administrative – 10.64%
8. Number of days spent in trainings per year (TA; CA; SNE)	11.70	N/A	12.69	

⁶⁷ On 31/12/2022, the Agency had 43 staff members in the following categories: TAs, CAs and SNEs and 5 interim workers.

2.10 ICT, security logistics and document management	Objective: Provide ICT systems, services and infrastructure Ensure ICT security, confidentiality, integrity and availability of BEREK Office data and ICT systems			
	Indicators	Results 2021	Target 2022	Results 2022
	2. Timely response to user requests provided	not met, 11.7%. To be improved to reduce resolution time	less than 10% of user requests require more than 2.5 days to resolve;	3.14%
	Objective: Creation of “BEREK Office ICT strategy 2022-2025”			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Signature of contract in support to the development of “BEREK Office ICT strategy 2022-2025”	Postponed to 2022 due to contract unavailability of such service	Signed contract by the end of Q4 of 2022	Further postponed to 2024 ⁶⁸
	Objective: Ensure proper functioning of the access card and video-surveillance systems of the Agency			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Operational CCTV system	100%	Minimum: 98%	99%
	2. Operational access control system	100%	Minimum: 98%	99%

⁶⁸ Further postponed to 2024 due to limited budget availability.

	Objective: Deployment and use of proper off-site back-up services for the Agency data and development of a reliable disaster recovery plan			
	Indicators	Results 2021	Target 2022	Results 2022
	1. Usage of BaaS services	100%	100%	100%

2.11 Facility management and logistics	Objective: Ensure proper functioning of the physical infrastructure, while taking into account the growing needs of the Agency in cooperation with the property management company and the Latvian authorities, where applicable			
	Indicators	Results 2021	Target 2022	Results 2022
	Occupancy rates of the offices according to EC building manual	102.7%	100% ⁶⁹	103.6%

69 By applying shared desk policy.