

41st Ordinary Plenary Meeting of the BEREC Office Management Board (MB)

Hosted by the [Malta Communications Authority \(MCA\)](#).

Conclusions

Chairperson: Jeremy Godfrey

Commissioner

[Commission for Communications Regulation \(ComReg\)](#)

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Annex I - List of documents

Main Results of the 41st BEREC Office MB Meeting

The BEREC Office Management Board held its 41st ordinary plenary meeting on 6 December 2019 in Malta.

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

1. Documents approved as 'A' items:

For information:

- MB (19) 109 Transfers by the Director of the BEREC Office in the BEREC Office Budget in the period July – September 2019

For submission to the European Commission:

- MB (19) 106 Decision of the Management Board of the Agency for Support for BEREC on the adoption of the guidelines for assistance with home care or care for a sick child

For publication:

- MB (19) 106 Decision of the Management Board of the Agency for Support for BEREC on the adoption of the guidelines for assistance with home care or care for a sick child
- MB (19) 107 Decision of the Management Board of the Agency for support for the Body of European Regulators for Electronic Communications (BEREC Office) concerning the information and communication system for BEREC, the Commission, and the NRAs
- MB (19) 108 Rules of Procedure on the operation of Expert Networking Groups

2. Documents submitted for publication as regular items:

- MB (19) 105 MB Agenda
- MB (19) 111 Decision of the Management Board of the Agency for support for the Body of European Regulators for Electronic Communications (BEREC Office) concerning the reimbursement of persons not employed by the BEREC Office invited to attend meetings in an expert capacity and repealing the previous Management Committee Decision No MC/2015/13 of 2 October 2015
- MB (19) 113 2020 Budget and Establishment Plan of the Agency for Support for BEREC ('BEREC Office')

3. Other topics discussed:

The Management Board of the BEREC Office discussed the appointment of BAG Chair. The MB also discussed the Single Programming Document of the Activities of the Agency for Support for BEREC for the period 2020-2022.

4. Next meeting

The next ordinary plenary meeting of the MB will take place on **5-6 March 2020 in Belgrade, Serbia** and will be hosted by the [Regulatory Agency for Electronic Communications and Postal Services](#) (RATEL).

Introduction and participation

The BEREC Office MB held its 41st ordinary plenary meeting on 6 December 2019 in Malta. The meeting was hosted by the Malta Communications Authority (MCA).

The meeting was attended by the heads and/or high-level representatives of the National Regulatory Authorities (NRAs) with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services established in each Member State of the European Union (EU) and by the European Commission. Heads and high-level representatives of the NRAs with which BEREC has concluded working arrangements also took part in the meeting.

List of documents

The list of documents discussed by the meeting is presented in Annex to the Conclusions in compliance with the BEREC Regulation and the MB transparency rules.

Items discussed

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

1. Opening of the meeting and adoption of the agenda

Document(s)	MB (19) 105 Draft MB Agenda
Introduction by	MB Chairperson (ComReg)
Information presented	The MB Chairperson opened the meeting and presented the agenda for approval by the MB. The MB members were invited to suggest any additional issues to be raised or presented under “Any other business” (AOB).
Conclusions	The MB approved the agenda with no changes.

2. List of ‘A’ items

Document(s)	<p><u>Approval for publication:</u></p> <p>MB (19) 107 Draft Decision of the Management Board of the Agency for support for the Body of European Regulators for Electronic Communications (BEREC Office) concerning the information and communication system for BEREC, the Commission, and the NRAs</p> <p>MB (19) 108 Draft Rules of Procedure on the operation of Expert Networking Groups</p> <p><u>Approval for submission to the Commission for its ex-ante agreement:</u></p> <p>MB (19) 106 Draft Decision of the Management Board of the Agency for Support for BEREC on the adoption of the guidelines for assistance with home care or care for a sick child</p> <p><u>Documents submitted alongside ‘A’ items for information only:</u></p> <p>MB (19) 109 Transfers by the Director of the BEREC Office in the BEREC Office Budget in the period July – September 2019</p>
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Introduction by	MB Chairperson (ComReg)
Information presented	The MB Chairperson presented the list of 'A' items, as set out above. The list of 'A' items had been drawn up based on the conclusions of the CN. The MB Chairperson also drew the meeting's attention to the information documents provided by the BEREC Office. These documents were submitted alongside the 'A' items only for information and did not require any action from the MB.
Conclusions	The MB approved the documents included in the list of 'A' items and took note of the documents submitted alongside the 'A' items.

3. BEREC Office Advisory Group (BAG)

Document(s)	No document
Introduction by	BAG Chair (PTS)
Information presented	<p>The Management Board Chairperson reported that following the approval of the Rules of Procedure of the BEREC Office Advisory Group (BAG) by the Management Board (MB) at its last ordinary meeting in Crete, he launched a call for resources for the establishment of the BAG.</p> <p>BAG should comprise at least six members of the MB, their alternates or other senior representatives from NRAs, who have recent and relevant experience, such as financial, budgeting or human resource administration.</p> <p>He noted that based on the updated MB RoP, the MB shall appoint a chair of the BEREC Office Advisory Group from among the BAG members. However, until the MB meeting, none of the members of the newly established BAG volunteered to take on this role.</p> <p>In this case, the Management Board Chairperson informed the MB that the decision of the MB will be postponed and made via e-voting after further discussions with the BAG members on the nomination of the BAG Chair.</p>
Conclusions	The MB took note of the information.

4. Reimbursement of experts

Document(s)	MB (19) 111 Draft decision of the Management Board of the Agency for support for the Body of European Regulators for Electronic Communications (BEREC Office) concerning the reimbursement of persons not employed by the BEREC Office invited to attend meetings in an expert capacity and repealing the previous Management Committee Decision No MC/2015/13 of 2 October 2015
Introduction by	BEREC Office Director
Information presented	The BEREC Office has, so far, been applying its own rules for the reimbursement of experts, applying by analogy some Articles of the European Commission rules (Commission Decision adopted on 5

	<p>December 2007 laying down rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity) and deviating on some other provisions. These rules have been revised from time to time in order, among other reasons, to bring the system more closely into line with the composition and organisation of BEREC.</p> <p>The BEREC Office Director reported that for the sake of clarity, it was decided to use one single legal act describing the rules for reimbursement of experts participating in meetings organised by BEREC and the BEREC Office. He clarified that the proposed decision of the Management Board would repeal Decision № MC/2013/05 currently in force.</p> <p>The BEREC Office Director reported that the review of the current decision is related to the provisions of Article 35 of the BEREC Regulation, which requires the enlargement of the scope of the reimbursement of travel expenses for BEREC Contact Network and Working Groups meetings so that it could also apply to experts from NRAs participating in the work of BEREC and BEREC Office without a right to vote.</p> <p>The draft decision contains the rules concerning the reimbursement of travel, subsistence and other expenses incurred in the course of journeys made by persons not employed by the BEREC Office. These rules mirror the European Commission's provisions concerning the criteria and procedure for requesting reimbursement, with some deviations due to the specificity of the functioning of BEREC.</p> <p>The BEREC Office Director also informed the MB that the new rules will align the deadlines for submission of the supporting documents with the EC rules to make it possible for BEREC and BEREC Office to use the AGM tool (on-line platform dedicated to the handling of the reimbursement process).</p>
Conclusions	The MB took note of the information and approved the document for publication, subject to changes as presented during the meeting.

5. Annual and Multiannual Programming of the BEREC Office Activities 2020-2022 and Budget 2020

Document(s)	<p>MB (19) 112 Draft Single Programming Document of the Activities of the Agency for Support for BEREC ('BEREC Office') for the period 2020-2022</p> <p>MB (19) 113 2020 Budget and Establishment Plan of the Agency for Support for BEREC ('BEREC Office')</p> <p>MB (19) 114 Draft decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the adoption of the updated Single Programming Document of the BEREC Office Activities for the period 2020-2022</p> <p>Commission Opinion C(2019) 7071 of 2.10.2019 on the draft Single Programming Document of the Office of the Body of European Regulators for Electronic Communications (BEREC) Office for the period 2020-2022</p>
Introduction by	BEREC Office Director

<p>Information presented</p>	<p>The Management Board Chairperson informed the MB that the budget will be voted on at the MB session but as the SPD was submitted late due to the adoption of the EU budget. He informed the MB that the SPD will be adopted via the e-voting procedure.</p> <p>The BEREC Office Director recalled that according to Article 23 of Regulation (EU) 2018/1971 of the European Parliament and the Council, each year, the Director shall draw up a draft single programming document and, by 31 January each year, the Management Board shall adopt the draft single programming document and forward it to the Commission for it to provide its opinion. The draft single programming document shall also be submitted to the European Parliament and the Council.</p> <p>In conformity with the Framework Financial Regulation for decentralised agencies, and in particular Article 32, the BEREC Office has drawn up a programming document containing strategies and multiannual and annual programming of resources, including objectives, expected results, performance indicators and a detailed description of the activities and financial and human resource allocated to them for the year 2020.</p> <p>On 31 January 2019, the Management Board adopted by an electronic voting procedure the draft Annual and Multiannual Programming of the BEREC Office Activities 2020-2022, which was subsequently submitted to the Commission for its opinion.</p> <p>The European Commission adopted its opinion on the draft Single Programming Document of the BEREC Office for the period 2020-2022 on 2 October 2019 (as submitted to the MB).</p> <p>On 18 November 2019, the Council and the European Parliament reached an agreement on the EU budget for 2020. Therefore, in line with the provisions of Article 23 and 24 of the BEREC Regulation, the Management Board shall now adopt the single programming document, taking into account the opinion of the Commission, as well as the BEREC Office budget.</p> <p>The BEREC Office Director presented the Single Programming Document as well as the 2020 Budget and Establishment Plan to the MB outlining the main changes in the document comparing to the document presented in January 2019 and the following drivers of those changes:</p> <ul style="list-style-type: none"> - Final EU budget; - Participation of NRAs contributing to the budget; - BEREC Office 2020 and beyond; - ENG (ICT, Communications, Sustainability). <p>The BEREC Office Director also presented the proposed budgetary resources (financial and human), he noted that the main consideration is about the number of CA and SNE. He informed the MB that the suggestion is based on the idea to internalise human resources who are now externalised by BEREC Office.</p> <p>The Management Board Chairperson informed the MB that under Article 16.1(a) of BEREC Regulation, the single programming document and the</p>
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	annual budget of the BEREC Office shall be adopted by a majority of two-thirds of MB members.
Conclusions	The MB took note of the information and approved the BEREC Office budget 2020 Budget and Establishment Plan. The MB took note of the comments made on the SPD and agreed to approve it via the e-voting procedure after amending the document as requested.

6. AOB

Information on the 42nd MB ordinary meeting (5-6 March 2020, Belgrade, Serbia)

Document(s)	No documents
Introduction by	The representative of the host NRA (RATEL)
Information presented	The representative of the meeting host, RATEL informed the MB on the logistics for the meeting.
Conclusions	The MB took note of the information.