

Decision No MB/2024/10

of the Management Board of the Agency for Support for BEREC (BEREC Office) on the designation of the Reporting Officers of the BEREC Office Director for the probationary and management trial period

The BEREC Office Management Board,

Having regard to Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, as amended¹, and in particular Article 34 of the Staff Regulations, and Article 14 of the Conditions of Employment of Other Servants,

Having regard to Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009²,

Having regard to the Decision MB/2022/05 of the BEREC Office Management Board 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 of the BEREC Office³, and in particular Article 2 (1);

Having regard to Rules of Procedure of the Management Board of the BEREC Office and in particular Annex 1 - Rules of procedure of the BEREC Office Advisory Group (BAG)⁴;

¹ Consolidated text: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1433861011292&uri=CELEX:01962R0031-20140501>

² OJ L 321, 17.12.2018, p. 1–35, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1566209510783&uri=CELEX:32018R1971>

³ MB/2022/05, Decision 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, <https://www.berec.europa.eu/en/document-categories/berec-office/decisions-of-the-management-board/decision-of-the-berec-office-management-board-on-the-probationary-period-management-trial-period-andconcerning-the-appraisal-of-the-director-and-repealing-decision-mc-10-26-concerning-the>

⁴ MB (19) 95rev.1, Rules of Procedure of the Management Board of the BEREC Office, <https://www.berec.europa.eu/en/document-categories/berec-office/rules-of-procedure/rules-of-procedure-of-the-management-board-of-the-berec-office-0>

Whereas:

- (1) The newly engaged Director of the BEREC Office should be subject to a probationary and management trial period of nine months in accordance with Article 14 of CEOS and Articles 44 and 46 of the Staff Regulations applicable by analogy to the temporary staff.
- (2) In accordance with Article 10 of the Management Board Decision No MB/2022/05, the BEREC Office Director performing for the first time senior management functions should also serve a management trial period with the objective of assessing his or her management skills. The management trial period begins on the first day of entry into service of the jobholder and finishes simultaneously with the probationary period.
- (3) The objective of the probationary period is to assess simultaneously the efficiency, abilities and the conduct in the service of the jobholder⁵. The assessment will particularly take into account the efficiency based on the fulfilment of objectives and the implementation of the BEREC Office work programme, abilities shown and conduct in the service.
- (4) The appraisers (hereinafter referred to as the 'Reporting Officers') of the Director's probationary and management trial period, should be:
 - i. The Chair of the BEREC Office Advisory Group appointed by the Management Board in line with the provisions of point 4(3) of the Rules of Procedure of BEREC Office Advisory Group;
 - ii. At least one member of the Management Board appointed by the Management Board from amongst its members.
- (5) The European Commission representative at the Management Board should be one of the reporting officers in view of his/her knowledge of budgetary and human resources aspects. In order to respect BEREC's independence, the European Commission representative should not assess regulatory aspects.
- (6) The Reporting Officers should jointly be responsible for:
 - i. Meeting the jobholder during the first month following first day of entry into service (MB/2022/05, Article 9), in order to inform him/her about his/her job description and objectives and to agree, in writing, on how the objectives and the performance level expected from the jobholder will be assessed during his/her probationary period.
 - ii. Drawing up probationary report and holding formal dialogue at latest one month before the expiry of probationary period and management trial period

⁵ Pursuant to Article 34 of the Staff Regulations applicable to temporary agents by virtue of Article 14 of the CEOS

as per probationary and management trial procedure (stipulated in Article 14 of CEOS).

- (7) The Reporting Officers cannot be designated to any other functions within the probationary and management trial period procedure.
- (8) The Appeal Assessor should be the Chairperson of the Management Board and therefore the Vice-Chairperson in charge of the BEREC Office and Incoming Chair should not be appointed as a Reporting Officer.
- (9) In case of appeal, the Appeal Assessor should make the final decision on the report of the jobholder after consulting the Management Board.
- (10) The Reporting Officers should be excluded from these consultations,

HAS ADOPTED THIS DECISION:

Article 1

Reporting Officers

The Reporting Officers designated for the probationary and management trial period of the newly engaged Director are:

- **Annegret GROEBEL**, Chair of the BEREC Office Advisory Group;
- **Jesmond BUGEJA**, member of the BEREC Office Management Board;
- **Roberto VIOLA**, Director General of Directorate-General for Communications Networks, Content and Technology, representative of the European Commission at the BEREC Office Management Board.

Article 2

Entry into force

The present Decision shall enter into force on the day of the start of the assignment of the new Director.

Done at Jurmala, 7 June 2024.

For the Management Board

(e-signed)

Tonko Obuljen
Chairperson