

Body of European Regulators for Electronic Communications (BEREC) and the Office. 'Telecoms Package'

2007/0249(COD) - 21/04/2009

The Committee on Industry, Research and Energy adopted the recommendation for second reading by Pilar del CASTILLO VERA (EPP-ED, ES) modifying, under the second reading of the codecision procedure, the Council's common position for adopting a regulation of the European Parliament and of the Council establishing the Group of European Regulators in Telecom (GERT).

The amendments were the result of a compromise negotiated by the committee responsible with the Council Presidency.

As part of the compromise, the **Body of European Regulators for Electronic Communications** (BEREC) shall be established, as well as the **Office** to provide BEREC with professional and administrative support.

Role of BEREC: BEREC shall:

- develop and disseminate among national regulatory authorities (NRAs) regulatory best practice, such as common approaches, methodologies or guidelines on the implementation of the EU regulatory framework;
- on request, provide assistance to NRAs on regulatory issues;
- deliver opinions on the draft decisions, recommendations and guidelines of the Commission, referred to in this Regulation, Directive 2002/21/EC (Framework Directive) and the Specific Directives;
- issue reports and provide advice, upon reasoned request of the Commission or on its own initiative, and deliver opinions to the European Parliament and the Council, upon reasoned request or on its own initiative, on any matter regarding electronic communications within its competence;
- on request, assist the European Parliament, the Council, the Commission and the NRAs in relations, discussions and exchanges with third parties; and assist the Commission and NRAs in the dissemination of regulatory best practices to third parties.

Composition and organisation of BEREC: BEREC shall be composed of the Board of Regulators. The Board of Regulators shall be composed of one member per Member State who shall be the head or nominated high-level representative of the NRA established in each Member State with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services. The Commission shall attend as observer and shall be represented at an appropriate level. The Board of Regulators shall act by two-thirds majority of all its members. When carrying out its tasks conferred upon it, BEREC shall act independently.

The Office: to provide BEREC with professional and administrative support, the Office should be established as a Community body with legal personality and should exercise the tasks conferred on it by this Regulation. This Office should have legal, administrative and financial autonomy, in order efficiently to provide BEREC with its support. The Office should comprise of a Management Committee and an Administrative Manager.

The revenues and resources of the Office shall consist notably of: (a) a subsidy from the Community, entered under the appropriate headings of the general budget of the European Union (Commission Section); (b) financial contributions from Member States or from their NRAs made on a voluntary basis.

Evaluation and review: within three years of the effective start of operations, the Commission shall publish an evaluation report on the experience acquired as a result of the operation of BEREC and the Office. The evaluation report shall cover the results achieved by BEREC and the Office and their respective working methods, in relation to their respective objectives, mandates and tasks defined in this Regulation and in their respective annual work programmes. The European Parliament shall issue an opinion on the evaluation report.