Opinion on the evaluation report regarding BEREC and the Office

2013/2053(INI) - 10/12/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution containing its opinion on the evaluation report regarding BEREC and the Office.

Parliament recalled that the **Body of European Regulators for Electronic Communications (BEREC)** was created to contribute to shaping technical and policy orientations for the completion of the internal market, with the twin aims of:

- giving regulators the utmost possible independence and
- making their implementation of the regulatory framework more consistent throughout the EU.

It indicated that BEREC could only be effective if its independence from the Member States and the EU institutions was guaranteed. However, optimal use was not currently being made of the **BEREC Office** in its daily tasks.

Evaluation report: whilst Members considered that the evaluation report was, overall, relevant and balanced, they felt that there was still room for improvement in the functioning of BEREC and the BEREC Office, while acknowledging the limited resources available. They stressed, however, that the use of the new procedure under Article 7/7a of Directive 2009/140/EC on a common regulatory framework for electronic communications networks and services had worked effectively, justifying the two-tier set-up.

BEREC as an Agency: Parliament underlined that BEREC was the smallest EU agency, with an EU budget contribution of only EUR 3 768 696 and 16 authorised posts under the EU budget in 2013. It recalled that in its opinion of 29 May 2008 on the proposal for a regulation establishing the European Electronic Communications Market Authority, the opinion of the Committee on Budgets rejected the establishment of a new agency. Members considered that BEREC played a crucial role within the regulatory system as the entity tasked with aligning national factual and regulatory differences with a view to completing the internal market in electronic communications.

They recommended that **BEREC's role be better defined**, in particular its relationship with national regulatory authorities (NRAs), and strengthened by **broadening its responsibilities** so as to facilitate the definition of common positions with a view to enhancing the internal market approach.

Improve the functioning of BEREC: Parliament felt that it should be possible to improve the functioning of BEREC and greater predictability for market actors, by:

- greater harmonisation of the tasks carried out by NRAs in the Member States,
- giving them competence for relevant aspects directly related to security and resilience in the internal market in electronic communications.

It called on Member States and the Commission to ensure that the independence of NRAs at national and European level is strengthened. In the same way, they called on the Commission to guarantee **BEREC's independence** from the EU institutions in future proposals relating to the scope and mission of BEREC.

Definition of tasks: Parliament recommended that BEREC strengthen its internal accountability by clearly defining its objectives in its annual work programme and presenting in its annual report its achievements and progress on the basis of those objectives. It also recommended formalising the role of the Independent Regulators Group (IRG) in Brussels, while ensuring that it does not duplicate the tasks entrusted to the BEREC Office.

They also called for:

- greater coherence and consistency of BEREC's work to better prioritise its tasks;
- more room to take strategic decisions, producing its own analysis and studies;
- better external communication in order to encourage stakeholder involvement;
- greater use of teleworking, and videoconferencing to cut costs and reduce the carbon footprint;
- adequate financing for BEREC and for the NRAs;
- enabling the BEREC Office to support BEREC’s substantive work more effectively.

Location of the BEREC Office: Members considered that any discussions on the location of the BEREC Office should be conducted with a view to reinforcing its independence from the EU institutions and the Member States and with due regard to the principle of equal geographical distribution of the seats of the EU’s institutions, agencies and other entities.

Lastly, Members wanted to see a clear and stable legislative framework for a better internal market that would result in increased competition and improved services for consumers.