Basic information

2012/2211(DEC) DEC - Discharge procedure	Procedure completed
2011 discharge: Body of European Regulators for Electronic Communications (BEREC) **Subject** 8.70.03.07 Previous discharges	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	GERBRANDY Gerben-Jan (ALDE)	29/02/2012
	Shadow rapporteur SARVAMAA Petri (PPE) AYALA SENDER Inés (S&D) STAES Bart (Verts/ALE) BRADBOURN Philip (ECR) SØNDERGAARD Søren Bo (GUE/NGL) ANDREASEN Marta (EFD) EHRENHAUSER Martin (NI)	

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Budget	ŠEMETA Algirdas

Key events

Date	Event	Reference	Summary
25/07/2012	Non-legislative basic document published	COM(2012)0436	Summary

13/09/2012	Committee referral announced in Parliament		
19/03/2013	Vote in committee		
21/03/2013	Committee report tabled for plenary	A7-0066/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Decision by Parliament	T7-0136/2013	Summary
17/04/2013	Results of vote in Parliament		
17/04/2013	End of procedure in Parliament		
16/11/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/2211(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10619

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE497.815	18/01/2013	
Amendments tabled in committee		PE497.865	26/02/2013	
Committee report tabled for plenary, single reading		A7-0066/2013	21/03/2013	Summary
Text adopted by Parliament, single reading		T7-0136/2013	17/04/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05753/2013	01/02/2013	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2012)0436	25/07/2012	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Court of Auditors: opinion, report	N7-0008/2013 OJ C 388 15.12.2012, p. 0008	05/09/2012	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2013/0556 OJ L 308 16.11.2013, p. 0165	Summary

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 05/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the Office of the Body of European Regulators for Electronic Communications (BEREC) for the financial year 2011, together with the Office's replies.

CONTENT: in accordance with the tasks conferred on the Court of Auditors by the Treaty on the Functioning of the European Union, the Court presents to the European Parliament and to the Council, in the context of the discharge procedure, a Statement of Assurance as to the reliability of the annual accounts of each institution, body or agency of the EU, and the legality and regularity of the transactions underlying them, on the basis of an independent external audit.

This audit concerned, amongst others, the annual accounts of the Office of the Body of European Regulators for Electronic Communications (BEREC).

In the Court's opinion, the **Office's Annual Accounts present fairly, in all material respects, its financial position as of 31 December 2011** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also considers that the **transactions underlying the annual accounts** of the Office for the financial year ended 31 December 2011 are, in all material respects, **legal and regular**.

The report confirms that the Office's 2011 budget amounted to EUR 1.8 million and that the number of staff employed by the Agency at the end of the year was 18.

The report also makes a series of observations on the budgetary and financial management of the Agency, accompanied by the latter's response. The main observations may be summarised as follows:

Court's observations:

- carry-overs: the Court identified 21 cases with a total value of EUR 94 120 in which appropriations carried over to 2012 did not correspond to legal commitments. These carryovers were therefore irregular;
- recrutement: the Office needs to improve the transparency of recruitment procedures.

Office's replies:

- the start-up phase made it difficult to forecast correctly the carry-forwards. It states that a close follow-up of the budget implementation is in place now;
- as from June 2012 the Office has updated its Guidelines for recruitment procedures in order to address these findings.

Lastly, the Court of Auditors' report contains a summary of the **Office's activities in 2011**. This is focused on the following:

- professional and administrative support services to BEREC,
- collection of information from NRAs and exchange and transmission of information,
- dissemination of regulatory best practices among NRAs within the EU and to third parties,
- assistance to the Chair in the preparation of the work of the Board of Regulators and the Management Committee of the Office,
- support to the Expert Working Groups set up by the Board of Regulators.

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 01/02/2013

Having examined the revenue and expenditure accounts for the financial year 2011 and the balance sheet at 31 December 2011 of the Office of the Body of European Regulators for Electronic Communications, as well as the Court of Auditors' report on the annual accounts of the Office for the financial year 2011, accompanied by the Office's replies to the Court's observations, the Council recommends the European Parliament to give a discharge to the Management Committee of the Office in respect of the implementation of the budget for the financial year 2011.

The observations in the Court of Auditors' report in relation to the financial year 2011 call for some comments by the Council, which may be summarised as follows:

- the Council welcomes the Court's opinion that, in all material respects, the Office's annual accounts present fairly its financial position as at 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Office's Financial Regulation, and that the underlying transactions for that financial year are legal and regular;
- however, it regrets that the budget adopted for 2011 showed an **insufficient level of detail** (articles and items) contrary to the budgetary principle of specification. It also regrets the irregularities concerning the appropriations carried over to 2012;
- moreover, with respect to the **Office's supervisory and control systems**, the Council urges the Office to implement complete administrative rules and practices;
- lastly, the Council encourages the Office to pursue its efforts to address the shortcomings detected by the Court in its staff recruitment procedures.

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 21/03/2013 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Gerben-Jan GERBRANDY (ADLE, NL) on discharge to be granted to the Administrative Manager of the Body of European Regulators for Electronic Communications (BEREC) in respect of the implementation of the Body’s budget for the financial year 2011.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Body for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Members approve the closure of BEREC’s accounts. However, they make a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on performance, financial management and control of EU agencies:

- **Financing, budget and financial management**: the overall budget of the Body for the financial year 2011, EUR 1 178 785,60, was entirely funded by a Union contribution.
- **Implementation rate of appropriations and carryovers**: Members observe that appropriations were committed at a rate of 63.4%, while payments reached a level of 70.1% of the total appropriations managed (or 44.5% of available appropriations). They note with concern that the Court of Auditors identified 21 cases where appropriations carried over to 2012 did not correspond to legal commitments and that those carryovers were, therefore, irregular.

Lastly, Members made a series of observations as regards the Body’s recruitment procedures as well as its internal control standards.

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 17/04/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a decision on discharge to be granted to the Administrative Manager of the Body of European Regulators for Electronic Communications (BEREC) in respect of the implementation of the Body’s budget for the financial year 2011. The vote on the decision to grant discharge covers the closure of the accounts (in accordance with Annex VI, Article 5(1) of the European Parliament’s Rules of Procedure).

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Body for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution containing a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on performance, financial management and control of EU agencies:

- **Financing, budget and financial management**: Parliament recalls that the overall budget of the Body for the financial year 2011, EUR 1 178 785,60, was entirely funded by a Union contribution.
- **Implementation rate of appropriations and carryovers**: it recalls that appropriations were committed at a rate of 63.4%, while payments reached a level of 70.1% of the total appropriations managed (or 44.5% of available appropriations). It also notes with concern that the Court

of Auditors identified 21 cases where appropriations carried over to 2012 did not correspond to legal commitments and that those carryovers were, therefore, irregular.

- **Recruitment procedures**: Parliament notes that the Court's observation that there is a need to improve the transparency of recruitment procedures and calls on the Office to follow up this issue and to report to the discharge authority on the actions taken.

Lastly, Parliament made a series of observations as regards its internal control standards.

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 17/04/2013 - Final act

PURPOSE: to grant discharge to the Body of European Regulators for Electronic Communications for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/555/EU of the European Parliament on discharge in respect of the implementation of the budget of the Body of European Regulators for Electronic Communications for the financial year 2011.

CONTENT: with the present decision, and in accordance with Article 319 of the Treaty on the Functioning of the European Union (TFEU), the European Parliament grants discharge to the Administrative Manager of the Body of European Regulators for Electronic Communications in respect of its budget for the financial year 2011.

This decision is in line with the European Parliament's resolution adopted on 17 April 2013 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 17 April 2013).

A parallel decision, 2013/556/EU, adopted on the same day, approves the closure of the Body's accounts for the 2011 financial year.

2011 discharge: Body of European Regulators for Electronic Communications (BEREC)

2012/2211(DEC) - 25/07/2012 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2011, as part of the 2011 discharge procedure.

Analysis of the accounts of the **Body of European Regulators for Electronic Communications (BEREC)** – *new agency*.

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2011 as prepared on the basis of the information presented by the institutions, organisations and bodies of the EU, in accordance with Article 129 (2) of the Financial Regulation applicable to the EU's General Budget, including the Body of European Regulators for Electronic Communications (BEREC).

In 2011, the tasks and budget of this agency were as follows:

- **description of BEREC's tasks**: BEREC, which is located in Riga, was set up by Regulation (EU) No 1211/2009 of the European Parliament and of the Council with a view to developing the single market for electronic communication networks and services, as well as to improving its operation by ensuring the consistent application of the European Union's regulatory framework for electronic communications;

- **BEREC's budget for the 2011 financial year**: BEREC's budget for 2011, as presented in the Commission document on the consolidated annual accounts of the European Union, gives the following figures:

    - § forecasted income budget: EUR 1 million;
    - § entitlements established: EUR 1 million;
    - § amounts received: EUR 1 million;
    - § outstanding: EUR 0 million.

The complete version of BEREC's final accounts may be found at the following address: http://berec.europa.eu/eng/about_berec/what_is_berec/