

# Body of European Regulators for Electronic Communications (BEREC) and Agency for Support for BEREC (BEREC Office)

2016/0286(COD) - 14/11/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 590 votes to 63, with 23 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

**Maintaining the dual structure:** the proposed Regulation aims to establish the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (the BEREC Office) and to define the appropriate tasks and organisational structure for each of them.

**The BEREC Office** shall be a body of the Union. It shall have legal personality. BEREC shall be composed of a Board of Regulators made up of one member from each Member State and working groups open to the participation of experts from all the NRAs participating in the work of BEREC and the Commission.

It shall be represented by its Director. It shall have sole responsibility for the tasks assigned to and the powers conferred on it.

The BEREC Office shall have its seat in Riga, Latvia.

**Tasks of BEREC and the BEREC Office:** in accordance with its new mandate, BEREC shall play an important role in helping EU countries to deploy very high-capacity networks and contribute to the smooth operation of the regulatory measures provided for in the [European Electronic Communications Code](#), which defines a significant number of new tasks for BEREC, such as the publication of guidelines, reporting on technical matters, keeping registers, lists or databases and delivering opinions on internal market procedures for draft national measures on market regulation.

BEREC shall carry out its tasks **independently, impartially, transparently and in a timely manner**, and shall rely on the expertise available within national regulatory authorities (NRAs). It shall also serve as a **body for reflection, debate and advice** for the European Parliament, the Council and the Commission in the field of electronic communications. It shall, *inter alia*:

- **provide expertise and establish confidence** by virtue of its independence, the quality of its advice and information, the transparency of its procedures and methods of operation, and its diligence in carrying out its tasks;
- contribute to the **Commission's public consultation** and provide the Commission, when requested, with advice on the preparation of legislative proposals;
- be able to provide advice to the **European Parliament and the Council**, at their request or on its own initiative.
- ensure that **all NRAs** are involved in the performance of its regulatory tasks and its functioning. Each Member State shall ensure that its NRA has sufficient financial and human resources to participate fully in the work of BEREC;

- be empowered to establish working arrangements with EU bodies, offices, agencies and advisory groups, with **competent authorities of third countries** and international organisations, for example to establish cooperative relations and to exchange views on regulatory issues.

The BEREC Office shall provide all necessary professional and administrative support for the work of BEREC, including financial, organisational and logistical support, and contribute to BEREC's regulatory work. It shall be adequately staffed to carry out its tasks.

In accordance with the principle of **transparency**, BEREC and the BEREC Office shall:

- publish information about their work on their website;
- make publicly available updated lists of their tasks and updated lists of members, alternates and other participants in meetings of their organisational bodies, as well as declarations of interest made by members of the Board of Regulators, members of the Management Board and the Director.

**Retail charges for regulated intra-EU communications:** from 15 May 2019, any retail price (excluding VAT) charged to consumers for regulated intra-EU communications shall not exceed **EUR 0.19 per minute for calls and EUR 0.06 per SMS message**.

Suppliers may offer their consumers other tariff offers for international calls, with different tariffs for calls within the regulated European Union. Consumers would be free to expressly choose these offers, and to change them at any time and free of charge.

Before consumers choose such a different tariff, the provider of regulated intra-EU communications shall inform them of the nature of the advantages which would thereby be lost.

Where a provider of regulated intra-EU communications establishes that, due to specific and exceptional circumstances distinguishing it from most other Union providers, the application of the cap referred to in the Regulation would have significant impact on that provider's capacity to sustain its existing prices for domestic communications, a national regulatory authority may, upon that provider's request, grant a derogation only to the extent necessary and for a renewable period of one year.