



Procedure file

Basic information		
DEC - Discharge procedure	2012/2211(DEC)	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	ALDE GERBRANDY Gerben-Jan Shadow rapporteur PPE SARVAMAA Petri S&D AYALA SENDER Inés Verts/ALE STAES Bart ECR BRADBOURN Philip EFD ANDREASEN Marta NI EHRENHAUSER Martin	29/02/2012
	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
European Commission	Commission DG Budget	Commissioner ŠEMETA Algirdas	

Key events			
24/07/2012	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	Results of vote in Parliament		
17/04/2013	Decision by Parliament	T7-0136/2013	Summary
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

Non-legislative basic document	COM(2012)0436	25/07/2012	EC	Summary
Court of Auditors: opinion, report	N7-0008/2013 OJ C 388 15.12.2012, p. 0008	05/09/2012	CofA	Summary
Committee draft report	PE497.815	18/01/2013	EP	
Document attached to the procedure	05753/2013	01/02/2013	CSL	Summary
Amendments tabled in committee	PE497.865	26/02/2013	EP	
Committee report tabled for plenary, single reading	A7-0066/2013	21/03/2013	EP	Summary
Text adopted by Parliament, single reading	T7-0136/2013	17/04/2013	EP	Summary

Final act

[Decision 2013/556](#)
[OJ L 308 16.11.2013, p. 0165](#) Summary

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

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 Unions regulatory framework for electronic communications;
- BEREC's budget for the 2011 financial year: BERECs 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 BERECs final accounts may be found at the following address:
http://berec.europa.eu/eng/about_berec/what_is_berec/

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

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 Offices 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 Courts opinion, the Offices 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 Offices 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 latters response. The main observations may be summarised as follows:

Courts 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;
- recruitment: the Office needs to improve the transparency of recruitment procedures.

Offices 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 Offices 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)

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 Bodys 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 BERECs 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 Bodys recruitment procedures as well as its internal control standards.

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

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 Bodys 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 Parliaments 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 Courts 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)

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 Bodys accounts for the 2011 financial year.