

**Question for written answer P-004651/2017
to the Commission**
Rule 130
Werner Langen (PPE)

Subject: BEREC overstepping its remit

The role played by the Body of European Regulators for Electronic Communications (BEREC) in the current process of co-decision on the proposal for a Directive establishing the European Electronic Communications Code is a matter of growing concern. According to Regulation (EC) No 1211/2009, under which BEREC was set up, it is an advisory body. All the more surprising then to find it, in the current legislative process, actively and successfully lobbying among MEPs for specific amendments that are at variance with the Commission proposal. Moreover, six weeks after the BEREC Board of Regulators had approved the Body's proposals for amendments, the texts were still unpublished, thus preventing public discussion of them before the deadline for submission of amendments in the EP committee responsible. It is understandable that BEREC should have a definite stance on the proposed directive. However, what it is currently doing would seem to go beyond the bounds of appropriate representation of its position on the basis of its terms of reference, as it is seeking, in effect, to be an additional partner in the co-decision process.

1. Is the Commission aware of what BEREC has been doing?
2. How can it be ensured that BEREC is acting within its remit?
3. Is the Commission prepared to raise the matter with the Council?