



2019/2094(DEC)

4.2.2020

AMENDMENTS

1 - 15

Draft report
Ryszard Czarnecki
(PE639.875v01-00)

2018 discharge: Office of the Body of European Regulators for Electronic Communications (BEREC Office)
(2019/2094(DEC))

Amendment 1

Ryszard Czarnecki, Ryszard Antoni Legutko, Raffaele Fitto, Joachim Stanislaw Brudziński, Patryk Jaki

Proposal for a decision 1

Paragraph 1

Proposal for a decision

1. Grants the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018
/ Postpones its decision on granting the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018;

Amendment

1. Grants the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018

Or. en

Amendment 2

Andrey Novakov, Tomáš Zdechovský, Petri Sarvamaa

Proposal for a decision 1

Paragraph 1

Proposal for a decision

1. Grants the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018
/ Postpones its decision on granting the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018;

Amendment

1. Grants the Director of the Office of the Body of European Regulators for Electronic Communications discharge in respect of the implementation of the Office's budget for the financial year 2018;

Or. en

Amendment 3

Andrey Novakov, Tomáš Zdechovský, Petri Sarvamaa

Proposal for a decision 2

Paragraph 1

Proposal for a decision

1. Approves the closure of the accounts of the Office of the Body of European Regulators for Electronic Communications for the financial year 2018 / ***Postpones the closure of the accounts of the Office of the Body of European Regulators for Electronic Communications for the financial year 2018;***

Amendment

1. Approves the closure of the accounts of the Office of the Body of European Regulators for Electronic Communications for the financial year 2018;

Or. en

Amendment 4

Tomáš Zdechovský, Andrey Novakov

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Notes with concern that the Office does not share resources with other Agencies due to its limited own resources; notes, however, that in 2014 the Office signed a service level agreement with ENISA for sharing resources in the field of internal controls and that the Office still makes full use of that agreement; notes with satisfaction that the Office started a joint project, signed in 2019, for sharing IT infrastructure with several joint undertakings;

Amendment

5. Notes with concern that the Office does not share resources with other Agencies due to its limited own resources; notes, however, that in 2014 the Office signed a service level agreement with ENISA for sharing resources in the field of internal controls and that the Office still makes full use of that agreement; notes with satisfaction that the Office started a joint project, signed in 2019, for sharing IT infrastructure with several joint undertakings; ***welcomes this initiative and urges the Office to further explore possible ways of outsourcing its tasks and collaborating on overlapping tasks with other Union institutions and bodies;***

Or. en

Amendment 5
Ryszard Czarnecki

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Notes with concern that the Office does not share resources with other Agencies due to its limited own resources; notes, however, that in 2014 the Office signed a service level agreement with ENISA for sharing resources in the field of internal controls and ***that the Office still makes full use of that agreement***; notes with satisfaction that the Office started a joint project, ***signed in 2019***, for sharing IT infrastructure with several joint undertakings;

Amendment

5. Notes with concern that the Office does not share resources with other Agencies due to its limited own resources; notes, however, that in 2014 the Office signed a service level agreement with ENISA for sharing resources in the field of internal controls and ***which was terminated by ENISA as of 1 January 2020 as a result of changes in the structure of ENISA due to its expanded new mandate***; notes with satisfaction that the Office started a joint project for sharing IT infrastructure ***and other IT projects*** with several joint undertakings ***and other Union Agencies***;

Or. en

Amendment 6
Katalin Cseh, Ramona Strugariu, Martina Dlabajová, Gilles Boyer, Olivier Chastel, Cristian Ghinea

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

9 a. notes with concern from the Court's report that on 4 May 2018, the Office signed a framework contract with one company for the provision of clerical and secretarial support services for a duration of 4 years for a maximum amount of 433 000 euros (2018 payments: 27 655 euros) and as from June 2018 on average four of that company's staff were working at the Office in addition to its own 27 employees. stresses that the use of this service contract for the provision of labour is not in compliance with Union's

Amendment

social and employment rules and exposes the Office to legal and reputational risks; calls on the Office to redress the situation and report back to the discharge authority;

Or. en

Amendment 7

Katalin Cseh, Gilles Boyer, Ramona Strugariu, Martina Dlabajová, Olivier Chastel

Motion for a resolution

Paragraph 6 a (new)

Motion for a resolution

Amendment

6 a. Encourages the Office to pursue the digitalization of its services;

Or. en

Amendment 8

Niclas Herbst

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7 a. Notes with concern that the Office is dependent on external resources and on one company, which creates a risk to business continuity; notes with concern that the Office does not possess the critical mass of staff and competences; calls the Commission to present appropriate resource allocation to the budgetary authority.

Or. en

Amendment 9

Katalin Cseh, Ramona Strugariu, Martina Dlabajová, Gilles Boyer, Olivier Chastel, Cristian Ghinea

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7 a. Regrets the gender imbalance within the Office's management board members, with 24 out of 29 being male, 5 being female; asks in this regard the Commission and the Member States to take into account the importance of ensuring gender balance when presenting their nominations for members of the Board;

Or. en

Amendment 10

Katalin Cseh, Gilles Boyer, Ramona Strugariu, Martina Dlabajová, Olivier Chastel

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Notes with concern that in 2017 the average employment period in the Office was only 2,7 years which is reflected in a high staff turnover; understands that the Office struggles to attract professionals, inter alia because of the low salary correction coefficient of the host country (74,9%); expresses its concern that the reduction of the posts authorised under the Union budget in recent years together with the additional tasks acquired have increased the workload of the Office's staff; points out that this situation may pose risks to the implementation of its work programmes; observes that the Office works towards improving the employment conditions for its staff, and that in 2018 the Office started the implementation of an action plan for social welfare; calls on the Office to find further possibilities for improving the working and living conditions for the staff with the Latvian

8. Notes with concern that in 2017 the average employment period in the Office was only 2,7 years which is reflected in a high staff turnover; understands that the Office struggles to attract professionals, inter alia because of the low salary correction coefficient of the host country(74,9%); **stresses that the high staff turnover highlights possible problems with the Office's revolving door policy; calls on the Agency to re-evaluate its revolving policy**; expresses its concern that the reduction of the posts authorised under the Union budget in recent years together with the additional tasks acquired have increased the workload of the Office's staff; points out that this situation may pose risks to the implementation of its work programmes; observes that the Office works towards improving the employment conditions for its staff, and that in 2018 the Office started the implementation of an

authorities aiming at the conclusion of a new Headquarters Agreement;

action plan for social welfare; calls on the Office to find further possibilities for improving the working and living conditions for the staff with the Latvian authorities aiming at the conclusion of a new Headquarters Agreement;

Or. en

Amendment 11
Lara Wolters

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9 a. Notes with satisfaction that at the end of 2018 a good gender balance was achieved at staff level (52% female and 48% male), with an even gender balance in middle management positions (50% female and 50% male), and that a good geographical balance has been achieved, with the Office employing representatives of 13 Member States; is concerned, however, that at the Management Board level there is unbalanced participation of men (28 members) and women (5 members);

Or. en

Amendment 12
Ryszard Czarnecki

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Notes that the Office signed a framework contract with one company for the provision of clerical and secretarial support services, but recalls that the loan of staff can only be done through contracts

9. Notes that the Office signed a framework contract with one company for the provision of clerical and secretarial support services, but recalls that the loan of staff can only be done through contracts

with authorised temporary work agencies and in accordance with Directive 2008/104/EC of the European Parliament and of the Council¹⁵, and with specific rules adopted by the Member States; notes with concern that the use of this service contract is not in compliance with EU social and employment rules and exposes the Office to legal and reputational risks; takes notes of the Office's reply that following an open tender procedure, the Office concluded a framework contract for the provision of clerical and secretarial support services to the Office, guaranteed over the whole duration of the contract, which is different from the use of interim workers; ***calls, however, on the Office to use this service contract for the provision of labour in compliance*** with the applicable EU and national legal framework;

¹⁵ Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9).

with authorised temporary work agencies and in accordance with Directive 2008/104/EC of the European Parliament and of the Council¹⁵, and with specific rules adopted by the Member States; notes with concern that the use of this service contract is not in compliance with EU social and employment rules and exposes the Office to legal and reputational risks; takes notes of the Office's reply that following an open tender procedure, the Office concluded a framework contract for the provision of clerical and secretarial support services to the Office, guaranteed over the whole duration of the contract, which is different from the use of interim workers; ***notes that according to the tender specifications of the framework contract, which are annexed to it, the contractor has the obligation to comply*** with the applicable EU and national legal framework;

¹⁵ Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9).

Or. en

Amendment 13 **Younous Omarjee**

Motion for a resolution **Paragraph 9 a (new)**

Motion for a resolution

Amendment

9 a. Regrets the gender imbalance within the Office's management board, with 23 out of 28 members being of the same gender;

Or. en

Amendment 14

Katalin Cseh, Ramona Strugariu, Martina Dlabajová, Gilles Boyer, Olivier Chastel

Motion for a resolution

Paragraph 11 a (new)

Motion for a resolution

Amendment

11 a. Recognises that the Office has finally adopted its guidelines on whistleblowing on 7 December 2018;

Or. en

Amendment 15

Tomáš Zdechovský

Motion for a resolution

Paragraph 14 a (new)

Motion for a resolution

Amendment

14 a. Calls upon the Office to focus on disseminating the results of its research to the general public, and to reach out to public via the social media and other media outlets;

Or. en