

**COMMISSION DECISION**  
**of 10 August 2010**  
**establishing the European Regulators Group for Postal Services**  
**(Text with EEA relevance)**  
**(2010/C 217/07)**

THE EUROPEAN COMMISSION,

postal services and ensuring the consistent application in all Member States of Directive 97/67/EC.

Having regard to the Treaty on the Functioning of the European Union,

(7) Rules on disclosure of information by members of the group should be provided for, without prejudice to the Commission's rules on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom <sup>(1)</sup>.

Whereas:

(1) Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of services establishes a regulatory framework concerning the conditions governing the provision of postal services within the European Union and the establishment of the internal market for postal services.

(8) Personal data relating to members of the group should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>(2)</sup>,

(2) Directive 97/67/EC requires Member States to designate one or more national regulatory authorities for the postal sector, in order to carry out regulatory tasks specified in that Directive. Those national regulatory authorities should be legally separate from and operationally independent of the postal operators of Member States. Member States that retain ownership or control of postal service providers must also ensure effective structural separation of the regulatory functions from activities associated with ownership or control.

HAS DECIDED AS FOLLOWS:

*Article 1*

**Subject matter**

The European Regulators Group for Postal Services, hereafter referred to as 'the group', is hereby established.

*Article 2*

**Tasks**

(3) The responsibilities and tasks of the national regulatory authorities differ significantly between the Member States.

The group's tasks shall be:

(4) Directive 97/67/EC leaves flexibility in certain areas to apply the common rules in the light of national conditions. In order to achieve a successful development of an internal market for postal services, a consistent application of the relevant rules in all Member States is essential.

(a) to advise and assist the Commission in consolidating the internal market for postal services;

(5) It is therefore necessary to set up a group composed of the national regulatory authorities in the field of postal services and to define its tasks and its structure.

(b) to advise and assist the Commission on any matter related to postal services within its competence;

(6) The group should serve as a body for reflection, discussion and advice to the Commission in the postal services field. It should facilitate consultation, coordination and cooperation between the independent national regulatory authorities in the Member States, and between those authorities and the Commission, with a view to consolidating the internal market for

(c) to advise and assist the Commission as to the development of the internal market for postal services and as to the consistent application in all Member States of the regulatory framework for postal services;

(d) to consult, in agreement with the Commission, extensively and at an early stage of its expert work with market participants, consumers and end-users in an open and transparent manner.

<sup>(1)</sup> OJ L 317, 3.12.2001, p. 1.

<sup>(2)</sup> OJ L 8, 12.1.2001, p. 1.

*Article 3***Membership**

1. The group shall be composed of the national regulatory authorities in the field of postal services. They will be represented by the heads, or in exceptional cases other representatives, of these authorities, as listed in the Annex. There shall be one member per Member State.

2. The names of the national authorities shall be published in the Register of Commission expert groups.

*Article 4***Operation**

1. The group shall elect a chairperson from among its members. The chairperson shall convene the meetings of the group in agreement with the Commission.

2. In agreement with the services of the Commission, sub-groups may be set up to study specific subjects under terms of reference established by the group.

3. The independent national regulatory authorities for the postal sector from European Economic Area (EEA) States, which are not Member States, and from those States that are candidates for accession to the European Union shall have observer status and shall be represented at an appropriate level. The group may, with the agreement of the Commission's representative, also invite on an ad hoc basis other experts and observers to attend meetings.

4. Members of expert groups and their representatives, as well as invited experts and observers, shall comply with the obligations of professional secrecy laid down by the Treaties and their implementing rules, as well as with the Commission's rules on security regarding the protection of EU classified information, laid down in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom. Should they fail to respect these obligations, the Commission may take all appropriate measures.

5. The group and its sub-groups shall normally meet on Commission's premises in accordance with the procedures and

schedule established by it. The Commission shall provide secretarial services. Other Commission officials with an interest in the proceedings may attend meetings of the group and its sub-groups.

6. The group shall adopt its rules of procedure on the basis of the standard rules of procedure adopted by the Commission <sup>(1)</sup>.

*Article 5***Meeting expenses**

1. The Commission shall reimburse travel and, where appropriate, subsistence expenses for members, experts and observers in connection with the group's activities in accordance with the Commission's rules on the compensations of external experts.

2. The members, experts and observers shall not be remunerated for the services they render.

3. Meeting expenses are reimbursed within the limits of the annual budget allocated to the group by the responsible Commission services.

*Article 6***Annual report**

The Group shall submit an annual report of its activities to the Commission.

*Article 7***Applicability**

1. This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

2. The Group shall take up its duties on the date of entry into force of this Decision.

Done at Brussels, 10 August 2010.

*For the Commission*

*The President*

José Manuel BARROSO

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<sup>(1)</sup> See standard rules of procedure — Annex III to document SEC(2005) 1004.

## ANNEX

## List of Members of the European Regulators Group for Postal Services

Country	National Regulatory Authority
Belgique/België	Institut belge des services postaux et des télécommunications (IBPT)/Belgisch Instituut voor postdiensten en telecommunicatie (BIPT)
България/Bulgaria	Комисия за регулиране на съобщенията (КРС)/Communications Regulation Commission (CRC)
Česká republika	Český telekomunikační úřad (ČTÚ)
Danmark	Færdselsstyrelsen (FSTYR)
Deutschland	Bundesnetzagentur für Elektrizität, Gas, Telekommunikation, Post und Eisenbahnen (BNetzA)
Eesti	Sideamet (SIDEAMET)
Ελλάδα/Elláda	Εθνική Επιτροπή Τηλεπικοινωνιών και Ταχυδρομείων Hellenic/Telecommunications and Post Commission (EETT)
España	Comisión Nacional del Sector Postal (CNSP)
France	Autorité de régulation des communications électroniques et des postes (ARCEP)
Ireland	Commission for Communications Regulation (ComReg)
Κύπρος/Cypros	Γραφείο Επιτρόπου Ρυθμίσεως Ηλεκτρονικών Επικοινωνιών και Ταχυδρομείων (ΓΕΡΗΕΤ)/Office of the Commissioner of Electronic Communications and Postal Regulation (OCECPR)
Italia	Independent National Regulatory Authority to be established according to Article 37(2)(h) of the Legge 4 giugno 2010, n. 96, Disposizioni per l'adempimento di obblighi derivanti dall'appartenenza dell'Italia alle Comunità europee — Legge comunitaria 2009, (GU n. 146 del 25.6.2010 — Suppl. Ordinario n. 138).
Latvija	Sabiedrisko pakalpojumu regulēšanas komisija (SPRK)
Lietuva	Ryšių reguliavimo tarnyba (RRT)
Luxembourg	Institut luxembourgeois de régulation (ILR)
Magyarország	Nemzeti Hírközlési Hatóság (NHH)
Malta	L-Awtorità ta' Malta dwar il-Komunikazzjoni/Malta Communications Authority (MCA)
Nederland	Onafhankelijke Post en Telecommunicatie Autoriteit (OPTA)
Österreich	Rundfunk und Telekom Regulierungs-GmbH (RTR)
Polska	Urząd Komunikacji Elektronicznej (UKE)
Portugal	Autoridade Nacional de Comunicações (Anacom)
România	Autoritatea Națională pentru Administrare și Reglementare în Comunicații (ANCOM)
Slovenija	Agencija za pošto in elektronske komunikacije Republike Slovenije (APEK)
Slovensko	Poštový regulačný úrad (PRU)
Suomi/Finland	Viestintävirasto/Kommunikationsverket (FICORA)
Sverige	Post- och telestyrelsen (PTS)
United Kingdom	Postal Services Commission (Postcomm)