

COMMISSION OF THE EUROPEAN COMMUNITIES

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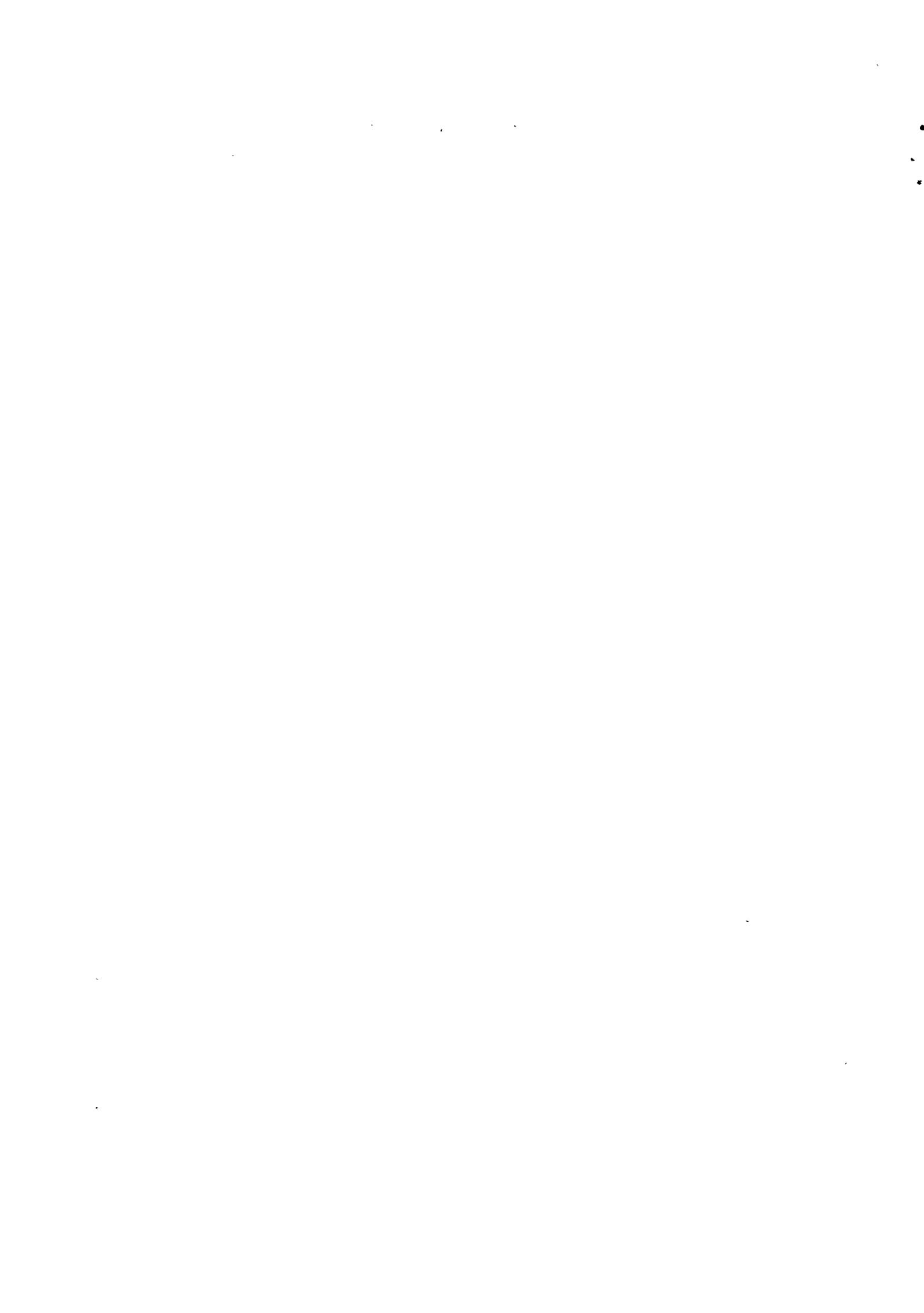
Proposal for a Council Regulation

on the

necessary measures to achieve comparability between
the accounting systems and annual accounts of railway
undertakings

(Communication from the Commission to the Council)

COM(77) 76 final.



EXPLANATORY MEMORANDUM

1. In accordance with Article 8(2) of Council Decision 75/327/EEC¹ of 20 May 1975 on the improvement of the situation of railway undertakings and the harmonisation of rules governing the financial relations between such undertakings and States, "before 1 January 1978, the Council, acting on a proposal from the Commission, shall adopt the necessary measures to achieve comparability between the accounting systems and annual accounts of all railway undertakings and shall lay down uniform costing principles". This proposal is designed to implement this Decision as regards the comparability of accounting systems and annual accounts. Uniform costing principles will be covered in a separate proposal.

2. The purpose of introducing the proposed measures on the accounting systems and annual accounts of national railway undertakings is to further the harmonization of the rules governing the financial relations between the railway undertakings and States. The aim of this harmonization is to promote adequate autonomy for railway undertakings and the running of railway undertakings on economic principles and ensure transparency of financial intervention by the State.

These objectives cannot be attained without an accounting system which conforms to the guidelines set out in the Decision of 20 May 1975, and helps to put them into effect.

3. In addition, the comparability of accounting systems and annual accounts is one prerequisite for any form of subsequent integration of railway undertakings on which the Commission is to submit a report to the Council pursuant to Article 8(2) of the abovementioned Council Decision of 20 May 1975.

4. In preparing its proposal, the Commission has been able to draw extensively on the work of the International Union of Railways (UIC) which was based on previous studies by the United Nations Economic Commission for Europe (ECE), Geneva. In the section dealing with general accounting the uniform accounting scheme for railway undertakings described in UIC Document No. 313 R offers a suitable means of complying with the requirements of the Council Decision of 20 May 1975.

This accounting scheme, most of which is embodied in Annexes I to IV of the proposal, contains outlines for the presentation of the balance sheet, and the profit and loss account, with nomenclatures covering the essential elements of the annual accounts and accounting systems of railways. Certain adjustments have had to be made, in accordance with Article 8(3) of the abovementioned Council Decision, to ensure transparency of results by sector of activity and of revenue by category of traffic.

¹ OJ L 152 of 12 June 1975

5. The Commission also wondered whether the accounting scheme contained in the amended proposal for a fourth Council Directive¹ for coordination of national legislation regarding the annual accounts of limited liability companies could be applied to railway undertakings.

However, the fact that most national railway undertakings in the Community have a special legal status, the special features of railway operations and the requirements of Article 8(3) of the Decision of 20 May 1975 have prompted the Commission to present the attached proposal. The Advisory Committee set up by the Regulation could devise solutions to the problems arising from the ultimate adoption of the accounting scheme contained in the fourth Directive.

6. In theory, the accounting scheme set out in the present proposal should replace, as from the entry into force of the Regulation, the accounting schemes and forms of annual accounts currently in use in the Member States.

In most Member States, however, considerable problems would be entailed in making an immediate switch from national systems to a Community system, since the national systems were designed to comply with specific legal requirements in each Member State.

For this reason, the proposal provides that the detailed rules for drawing up and publishing the annual account of railway undertakings in force at present may be maintained during a transitional period to be determined subsequently by the Council. However, the comparability of accounting systems and annual accounts will be achieved during this transition period transposing the accounts in accordance with the layouts and nomenclatures of the Community accounting scheme.

A suitable way of complying with the requirements initially, would be for these transposed accounts, with explanatory notes to be communicated to the Commission, for the accounts to be examined by a special committee and for a summary of the accounts to be sent to the Member States.

7. The publication of annual accounts, currently governed by national practice, will continue. The annual accounts drawn up according to the Community accounting scheme will be published by the railway undertakings in an annual report; the current publication rules will however continue to apply during the transitional period.

8. The standardization of the accounting systems and annual accounts of railway undertakings remains the final objective. One of the tasks of the specialist committee will be to assist the Commission in examining the problems which stand in the way of such unification and in seeking appropriate solutions.

¹Supplement to Bulletin No. 6/74

Proposal for a Council Regulation on the necessary
measures to achieve comparability between the accounting
systems and annual accounts of railway undertakings

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 75 thereof,

Having regard to Council Decision 75/327/EEC¹ of 20 May 1975 on the
improvement of the situation of railway undertakings and the harmonization of
rules governing financial relations between such undertakings and States and
in particular Article 8 (2) thereof,

Having regard to the Proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the harmonization of rules concerning financial relations between
States and railway undertakings must be based as far as possible on the
financial and accounting principles applicable to industrial and commercial
undertakings; whereas this harmonization demands the implementation of the
necessary measures to achieve comparability between the accounting systems
and annual accounts of all railway undertakings;

Whereas the comparability of the railway undertakings accounting systems
must contribute to improved cooperation between railway undertakings;
whereas this is indispensable to any future integration of these undertakings;

Whereas it is appropriate that a uniform accounting scheme reflecting the
special structure of railway undertakings should be laid down for the
national railway undertakings of the Member States;

Whereas for information purposes, it is desirable that railway undertakings
continue to publish their accounts annually;

Whereas the replacement by these provisions of those now in force concerning annual
accounts may pose problems for certain railway undertakings; whereas it is
appropriate to lay down a transitional period during which the undertakings
may confine this operation to the transposition of the annual accounts in accordance
with the uniform accounting scheme;

¹ OJ No L 152 of 12 June 1975.

Whereas annual accounts, transposed if necessary, with explanatory notes, should be communicated to the Commission within a reasonable period to enable it to assess them and to send a summary thereof to the Member States;

Whereas an Advisory Committee should be set up to assist the Commission in standardising and rendering comparable the accounts of railway undertakings;

HAS ADOPTED THIS REGULATION :

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Article 1

The purpose of this Regulation is to make the annual accounts of railway undertakings comparable. Annual accounts comprise the balance sheet, the profit and loss account and the related explanatory notes.

Article 2

This Regulation shall apply to the following railway undertakings :

- Société Nationale des chemins de fer belges (SNCB)/Nationale Maatschappij der Belgische Spoorwegen (NMBS)
- Danske Statsbaner (DSB)
- Deutsche Bundesbahn (DB)
- Société Nationale des chemins de fer français (SNCF)
- Coras Iompair Eireann (CIE)
- Azienda autonoma delle ferrovie dello Stato (FS)
- Société Nationale des chemins de fer luxembourgeois (CFL)
- Naamloze Vennootschap Nederlandse Spoorwegen (NS)
- British Railways Board (BRB)
- Northern Ireland Railways Company Ltd. (NIR)

Article 3

Railway undertakings shall each year, starting with the accounting year 1978, draw up their annual accounts in accordance with Annexes I to IV which form an integral part of this Regulation.

Article 4

1. The balance sheet drawn up in accordance with the model in Annex I shall use the nomenclature set out in Annex II.
2. The profit and loss account drawn up in accordance with the model in Annex III shall use the nomenclature set out in Annex IV.

Article 5

Railway undertakings shall attach to the annual accounts referred to in Article 3 explanatory notes concerning any item in respect of which an estimate of value has been made, for example depreciation, and work in progress. These notes shall explain the method of evaluation used.

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Article 6

The annual accounts shall be published. Their publication in the annual report of the railway undertaking shall satisfy this obligation.

Article 7

1. As a transitional measure, the undertakings may continue their current method of presenting their annual accounts until the end of the accountancy year 1984, on condition that these accounts are transposed in accordance with the provisions of Article 3 to 5. Where no entry is made in respect of an item of the nomenclature, the reason for this shall be stated.

2. During the transitional period referred to above, the undertakings shall publish their annual accounts in accordance with existing national practice and the publication of transposed accounts shall not be compulsory.

Article 8

1. The Member States shall communicate to the Commission within ten months of the end of the accounting year in question the annual accounts drawn up in accordance with the provisions of Articles 3 to 5 or, where applicable, the transposed accounts referred to in Article 7.

2. After consulting the Committee referred to in Article 9, the Commission shall send a summary to the Member States within eight months of receiving the accounts. The Commission shall attach to this summary any observations which in its opinion are called for regarding the implementation of this Regulation.

Article 9

1. An Advisory Committee attached to the Commission is hereby set up to assist the Commission in the examination of the annual accounts of railway undertakings.

2. The Committee shall give its opinion on any question relating to the implementation on this Regulation. It shall examine in particular the problems and solutions connected with improving the comparability of the annual accounts of railway undertakings and making progress towards greater standardization of their accounting systems.

3. The Committee shall be chaired by a representative of the Commission and shall consist of two representatives designated by each Member State. The Members of the Committee may request the assistance of designated experts.

The Committee shall be convened by the Commission, which shall provide the necessary secretarial services.

4. The Committee's conclusions shall be included in the report which the Commission is to submit to the Council every two years pursuant to Article 14 (1) of Council Decision 75/327/EEC of 20 May 1975 on the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and States.

Article 10

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

LAYOUT OF THE BALANCE SHEET

Annex I

ASSETS			LIABILITIES		
	FIXED ASSETS / installations			CAPITAL AND RESERVES	
00	Land and fixed		00	Capital	
01	Less : depreciation		01	Reserves	
02	Transport stock and equipment		02	CONTRIBUTIONS TO INVESTMENT COSTS	
03.0	Less : depreciation		03.0	PROVISIONS	
03.9	Other stock & equipment		03.9	Provisions for replacement	
04	Less : depreciation		04	Miscellaneous provisions	
	OTHER FIXED ASSETS			FUNDS FOR STAFF	
05.0	Fixed assets under construction		05.0	LONG-TERM FINANCIAL DEBTS	
05.1	Participants in other undertakings		05.1	Debentures	
05.9			05.9	State loans	
	Long-term loans			Other financial debts	
	Cost of floating loans and				
	loan redemption premiums				
	Miscellaneous fixed assets			SHORT TERM DEBTS	
31	STOCKS		31	Creditors	
			40	Financial debts whose term is less than	
	REALIZABLE AND LIQUID ASSETS		44	Bills payable <u>one year</u>	
	Debtors				
	Loans repayable within 1 year				
	Bills receivable				
	Cheques in hand				
	Securities				
06.0	Postal cheque accounts, bank accounts,				
07.0	cash in hand				
	RESULTS			RESULTS	
06.0	Losses for previous financial years		06.0	Profits for previous financial years	
07.0	Loss for the financial year		07.0	Profit for the financial year	
	ASSETS : TOTAL			LIABILITIES : TOTAL	

NOMENCLATURE OF THE BALANCE-SHEET ACCOUNTS

CLASS 0 : ACCOUNTS FOR OWN CAPITAL

00 - CAPITAL

00.0 - Stocks or shares paid up and not redeemed

00.1 - Stocks or shares paid up and redeemed

00.2 - Stocks and shares not paid up

00.3 - State endowments or contributions

Initial capital and any variations

01 - RESERVES

01.0 - Legal reserve

01.1 - Statutory reserves

01.2 - Reserves for revaluations of assets

Increases in value resulting from revaluations of
balance-sheet items.

01.9 - Other reserves

Includes the capital component of the annual
redemption payments on loans where Railways have
charged this component to the profit and loss
account.

02 - CONTRIBUTIONS TO INVESTMENT COSTS

Contribution by the State or by third parties to the
implementation of given investment projects

03 - PROVISIONS

03.0 - Provisions for replacement

Provisions made by certain Railways to finance the
replacement of their fixed assets instead of
depreciating them. Railways which depreciate their
fixed assets should charge to this account the
difference between the depreciation calculated
according to the replacement value of a fixed
asset and the depreciation calculated according to
the original value.

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03.9 - Miscellaneous provisions

Provisions made to cover certain losses and charges. Adjustments for depreciation are to be booked to special sub-accounts of the corresponding assets accounts.

04 - FUNDS FOR STAFF

In particular, pension funds administered by the Railways where there are no autonomous pension schemes.

05 - LONG-TERM FINANCIAL DEBTS

These are debts whose term is longer than one year; they must be entered in the accounts at repayment value.

05.0 - Debenture loans

05.1 - State loans

05.9 - Other financial debts

06 - RESULTS BROUGHT FORWARD

06.0 - Profits for previous financial years

06.1 - Losses for previous financial years

07 - RESULT FOR THE FINANCIAL YEAR

07.0 - Profit for the financial year

07.1 - Loss for the financial year

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CLASS I - FIXED ASSET ACCOUNTS

10 - LAND AND FIXED INSTALLATIONS

10.0 - Purchase or construction value

Including any revaluations and contributions to third parties.

10.0.0 - Land (both built on and not built on)

10.0.1 - Earthworks and permanent way

10.0.2 - Major structures

10.0.3 - Buildings

10.0.4 - Electric traction fixed installations

10.0.5 - Safety and telecommunications installations

Including level crossings; not including buildings (cf. account 10.0.3)

10.0.9 - Miscellaneous installations

10.1 - Depreciation

11 - TRANSPORT STOCK AND EQUIPMENT

11.0 - Purchase or construction value

11.0.0 - Tractive units

11.0.0.0 - Steam locomotives

11.0.0.1 - Electric locomotives

11.0.0.2 - Electric railcars
Including special trailers

11.0.0.3 - Diesel locomotives

11.0.0.4 - Diesel railcars
Including special trailers

11.0.0.9 - Other powered units.

Including battery powered rail motor tractors and railcars and diesel rail motor tractors.

- 11.0.1 - Hauled passenger vehicles
- 11.0.2 - Hauled goods vehicles
- 11.0.3 - Road transport stock and equipment
- 11.0.4 - Marine stock and equipment

Including hovercraft

- 11.0.9 - Other stock and equipment

Including large, medium and small containers

- 11.1 - Depreciation

12 - OTHER STOCK AND EQUIPMENT

Including furniture, machinery, tools and special-purpose service vehicles (railcars for the inspection of tunnels, railcars for the inspection of the overhead contact wire, etc.) pallets and tackle.

- 12.0 - Purchase or construction value

- 12.1 - Depreciation .

13 - FIXED ASSETS UNDER CONSTRUCTION

- 13.0 - Fixed installations
- 13.1 - Transport stock and equipment
- 13.9 - Other stock and equipment

14 - PARTICIPATIONS IN OTHER UNDERTAKINGS

15 - LONG-TERM LOANS

Loans whose term is more than one year.
Adjustments for depreciation are to be booked to sub-account 15.1.

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- 15.0 - Nominal value
 - 15.0.0 - Loans to subsidiaries
 - 15.0.9 - Other loans
- 15.1 - Adjustments for depreciation

16 - COSTS OF FLOATING LOANS AND LOAN REDEMPTION PREMIUMS

For the portion not yet paid off.

17 - MISCELLANEOUS FIXED ASSETS

Including patents, concessions, licences and other similar rights.

CLASS II - STOCK ACCOUNTS

20 - SUPPLIES IN STORE OR IN THE YARDS

Adjustments for depreciation are to be booked to sub-account 20.1.

- 20.0 - Purchase or construction value
 - 20.0.0 - Supplies for tractive units and hauled vehicles
 - 20.0.1 - Supplies for the permanent way
 - 20.0.2 - Safety and telecommunications supplies and supplies for electrical installation
 - 20.0.3 - Supplies for various fixed assets
 - 20.0.4 - Consumable supplies
- 20.1 - Adjustments for depreciation

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21 - SUPPLIES BEING MANUFACTURED OR UNDER REPAIR

Including work in progress in the workshops, unless the value of this work is already included under account 20.

CLASS III - SUNDRY DEBTOR AND CREDITOR ACCOUNTS

30 - DEBTORS

30.0 - Nominal value

- 30.0.0 - Suppliers
- 30.0.1 - Clients
- 30.0.2 - Staff
- 30.0.3 - State
- 30.0.4 - Susidiaries
- 30.0.5 - Partners or shareholders
- 30.0.6 - Other debtors
- 30.0.7 - Suspense and pre-payment account

Adjustments for depreciation are to be booked to sub-account 30.1

30.1 - Adjustments for depreciation

31 - CREDITORS

- 31.0 - Suppliers
- 31.1 - Clients
- 31.2 - Staff
- 31.3 - State
- 31.4 - Subsidiaries
- 31.5 - Partners or shareholders
- 31.6 - Other creditors

Including deposits and securities received

31.7 - Suspense and prepayment account

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CLASS IV - FINANCIAL ACCOUNTS

40 - FINANCIAL DEBTS WHOSE TERM IS LESS THAN ONE YEAR

41 - LOANS WHOSE TERMS IS LESS THAN ONE YEAR

41.0 - Nominal value

41.1 - Adjustment for depreciation

42 - BILLS RECEIVABLE

42.0 - Nominal value

42.1 - Adjustments for depreciation

43 - CHEQUES IN HAND

44 - BILLS PAYABLE

45 - SECURITIES

Not including participation in other undertakings
(cf. account 14)

45.0 - Purchase value

45.1 - Adjustments for depreciation

46 - POSTAL CHEQUE ACCOUNTS

47 - BANK ACCOUNTS

48 - CASH IN HAND

NB - Class V - INTERNAL OPERATIONS may be used by networks which keep their accounts according to the uniform accounting scheme straight away.

LAYOUT OF THE PROFIT AND LOSS ACCOUNT (91)I. General operation

COSTS BY TYPE	REVENUE BY TYPE
60 Start costs A) transport and ancillary activities B) other activities	70 Traffic revenue 0. Passenger and luggage traffic (a) by rail (b) by road (c) by other means of transport
61 Materials supplied and services performed by third parties A) transport and ancillary activities B) other activities	1. Goods traffic (a distinction to be made between national and international traffic) (a) full train and wagon loads (b) part loads and parcels (c) by road (d) by other means of transport
62 Taxes and dues A) transport and ancillary activities B) other activities	2. Postal traffic
63 Allocations for depreciation A) transport and ancillary activities B) other activities	71 Financial revenue 1. Source X 2. Source Y
64 Allocations to provision accounts A) transport and ancillary activities B) other activities	72 Revenue from other activities and miscellaneous income
65 Financial charges A) transport and ancillary activities B) other activities	73 Contra of costs booked to other accounts
	74 Compensations received from the State and from other public bodies under 0. Regulation (EEC) 1191/69 1. Regulation (EEC) 1192/69 2. Regulation (EEC) 1107/70
EXPENDITURE TOTAL	REVENUE TOTAL
91.0 Operating profit for the financial year	91.1 Operating loss for the financial year

II. Summary of the profit and loss account

91.1 Operating loss for the financial year 91.3 Exceptional losses 91.4 Corporation tax	91.0 Operating profit for the financial year 91.2 Exceptional profits 91.5 Balancing subsidy
91.6 Profit for the financial year (to be transferred to account 07.0)	91.7 Loss for the financial year (to be transferred to account 07.1)

Nomenclature of the Profit and Loss Account (see Annex III for layout)
(Accounts for costs and income by type)

I. GENERAL OPERATION

CLASS VI - ACCOUNTS FOR COSTS BY TYPE

60 - STAFF COSTS (subdivided between -A- "transport and ancillary activities"
and -B- "other activities")

60.0 - Remuneration of staff in active employment

All remuneration of staff, including remuneration relating to fixed assets, supplies and work for third parties.

60.1 - Pension charges

Amount of pensions paid out directly by the Railways less any contributions paid by employees in active employment.

Amount of contributions paid by the Railways to autonomous pension funds.

60.2 - Miscellaneous social security costs

In particular, contributions by the Railways in respects of family benefits, social welfare, security, staff training, etc.

The remuneration of staff in the department responsible for pensions and other welfare activities is to be booked to account 60.0.

61 - MATERIALS SUPPLIED AND SERVICES PERFORMED BY THIRD PARTIES (subdivided between "transport and ancillary activities" and "other activities")

19

61.0 - Fuel, power and light

Consumption, for whatever purpose, including that relating to fixed assets and third parties.

61.1 - Material consumption

Consumption for whatever purpose, including that relating to fixed assets and third parties.

61.2 - Services performed by third parties

Including those relating to fixed assets and third parties.

61.3 - Rentals

Including hire of rolling stock and tools.

61.4 - Miscellaneous charges

Including insurance premiums and indemnities, water and gas and sundry administrative costs (fees, telephone, postage, advertisements, publicity etc.).

62 - TAXES AND DUES (subdivided between transport and ancillary activities and other activities)

63 - ALLOCATION FOR DEPRECIATION (subdivided between transport and ancillary activities and other activities)

Also allocations to the replacement provision.

64 - ALLOCATIONS TO PROVISION ACCOUNTS (subdivided between transport and ancillary activities and other activities)

Provisions of all kinds.

65 - FINANCIAL CHARGES (subdivided between transport and ancillary activities and other activities).

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CLASS VII - REVENUE ACCOUNTS BY TYPE (*)

70 - TRAFFIC REVENUE

All traffic revenue (rail, road and other)
excluding service, transport operations but
including associated revenue.

70.0 - Passenger and luggage traffic

- a) by rail
- b) by road
- c) by other means of transport

70.1 - Goods traffic (a distinction to be made between national and
international traffic)

- a) full trains and wagon loads
- b) part loads and parcels
- c) by road
- d) by other means of transport.

70.2 - Postal traffic.

71 - FINANCIAL REVENUE - Source

Including interest on securities held and dividends
from participation in other undertakings

72 - REVENUE FROM OTHER ACTIVITIES AND MISCELLANEOUS INCOME

In particular from work and supplies for third
parties and rents.

73 - CONTRA OF COSTS BOOKED TO OTHER ACCOUNTS

In particular, fixed asset accounts and supplies
accounts.

(*) All revenue net of tax (in particular, net of VAT)

7A - COMPENSATIONS RECEIVED FROM THE STATE AND FROM OTHER PUBLIC BODIES

74.0 - Compensation for public service obligations
(Regulation (EEC) 1191/69)

74.0.0 - Tariff obligations

All tariff obligations.

74.0.1 - Other compensations

74.1 - Compensations for the normalization of accounts
(Regulation (EEC) 1192/69) - in accordance with the provision
of Article 10 of Regulation 1192/69.

74.2 - Other compensations
(Regulation (EEC) 1107/70)

II. SUMMARY PROFITS AND LOSSES

- 91.0 - Operating profit for the financial year
- 91.1 - Operating loss for the financial year
- 91.2 - Exceptional profits
- 91.3 - Exceptional losses
- 91.4 - Corporation tax
- 91.5 - Balancing subsidy
- 91.6 - Profit for the financial year
- 91.7 - Loss for the financial year.