

Making the railway system
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MB60, 21-06-2022

Opinion on the Annual Accounts 2021

Explanatory note

1. Introduction

The provisional accounts were sent to the Commission and the European Court of Auditors on 28.02.2022. Following the audit work done by the external audit firm Baker Tilly and the preliminary observations expressed by the Court, an unqualified opinion was issued by Baker Tilly on the provisional accounts. On this basis the final accounts were prepared and sent to the external auditor for review.

Following their review of the final accounts, Baker Tilly confirmed that they had no additional comments on final accounts. In addition the Court of Auditors has provided the Agency on 31.05.2022 with their preliminary observations of the European Court of Auditors on the Agency's final accounts 2021 including a clean opinion on the latter.

Legal framework

Article 102 of the ERA Financial Regulation adopted by the Management Board on 23 September 2019 stipulates that:

1. In accordance with Article 246 of Regulation (EU, Euratom) No 2018/1046, the Court of Auditors shall, by 1 June, make its observations on the provisional accounts of the Agency.
2. The accounting officer of the Agency shall provide, by 15 June, the required information to the accounting officer of the Commission, in the manner and format laid down by the Commission, with a view of drawing up the final consolidated accounts.
3. On receiving the Court of Auditors' observations on the provisional accounts of the Agency, the accounting officer shall draw up the final accounts of the Agency in accordance with Article 49. The director shall send them to the management board, which shall give an opinion on these accounts.
4. The Director shall send the final accounts, together with the opinion of the management board, to the accounting officer of the Commission, the Court of Auditors, the European Parliament and the Council, by 1 July of the following financial year.
5. The accounting officer of the Agency shall also send to the Court of Auditors, with a copy to the accounting officer of the Commission, a representation letter covering those final accounts. The representation letter shall be established at the same date at which the final accounts of the Agency are drawn up.

The final accounts shall be accompanied by a note drawn up by the accounting officer, in which the latter declares that the final accounts were prepared in accordance with this Title and with the applicable accounting principles, rules and methods.

A link to the pages of the website where the final accounts of the Agency are disclosed shall be published in the Official Journal of the European Union by 15 November of the following year.

6. The Director shall send the Court of Auditors a reply to the observations made in its annual report by 30 September of the following year at the latest. The replies of the director shall be sent to the Commission at the same time.

2. Conclusion

On the basis of the above the Management Board is requested to give a positive opinion considering that the ERA accounts, taken as a whole, and drawn up under the responsibility of the Agency's Executive Director, reflect the implementation of the Agency's 2021 budget and the activities undertaken by it during this year.

3. Next Steps

By 1st July at the latest, the Executive Director will send the final accounts, together with the opinion of the Management Board, to the Commission's accounting officer, the Court of Auditors, the European Parliament and the Council

Annex: Draft decision adopting an Opinion on the Annual Accounts 2021

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DECISION n°294

of the Management Board of the European Union Agency for Railways adopting an Opinion on the Annual Accounts 2021

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to the Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways¹ (hereinafter referred to as “the Agency”) and repealing Regulation (EC) No. 881/2004 (hereinafter called “the Regulation”), and in particular Article 65(5), thereof, requiring that the Management Board shall give an opinion on the final accounts,

Having regard to the Agency’s Financial Regulation adopted on 23 September 2019, and in particular Article 102 thereof,

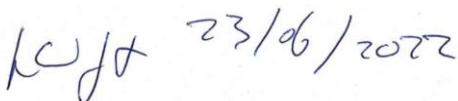
Having regard to the preliminary observations of the European Court of Auditors on the Agency’s final accounts 2021 including a clean opinion on the latter, received on 31.05.2022 and forwarded to the Chairwoman of the Board by the President of the Court;

HAS DECIDED TO GIVE THE FOLLOWING OPINION:

The Management Board of the European Union Agency for Railways, having taken note of the European Court of Auditors preliminary observations on the Agency’s final accounts including a clean opinion on the latter and having examined the final accounts presented to it by the Accounting Officer has considered the 2021 annual accounts as annexed to this decision.

The Management Board has concluded, that the said accounts, taken as a whole, and drawn up under the responsibility of the Agency’s Executive Director, reflect the implementation of the Agency’s 2021 budget and the activities undertaken by it during this year.

For the Management Board



Handwritten signature and date: 23/06/2022

The Vice-Chair
Hinne GROOT

¹. OJ L 138 26.5.2016, p. 1-43.