

DECISION n° 53

Opinion of the Administrative Board of the European Railway Agency on the annual accounts 2009

THE ADMINISTRATIVE BOARD OF THE EUROPEAN RAILWAY AGENCY,

Having regard to Regulation (EC) No 881/2004 of the European Parliament and of the Council¹ establishing a European Railway Agency (hereinafter referred to as "the Agency") as amended by Regulation (EC) No 1335/2008² of the European Parliament and of the Council of 16 December 2008 and in particular article 39.5 thereof requiring that the Administrative Board shall give an opinion on the final accounts drawn up under the responsibility of the Director;

Having regard to the Agency's Financial Regulation adopted on 15 July 2004 as amended by decision 21/2008 on Regulation of the European Railway Agency amending the financial regulation of 5 July 2004 following Commission Regulation (EC, Euratom) n 652/2008 of 9 July 2008 adopted by the Administrative Board on 28 October 2008, and in particular article 83 thereof;

Having regard to the observations of the European Court of Auditors on the Agency's accounts 2009, dated 15 June 2009, forwarded to the Chairman of the Board by the President of the Court, not received at the date of the meeting³;

HAS DECIDED TO GIVE THE FOLLOWING OPINION:

The Administrative Board of the European Railway Agency, having examined the final accounts presented to it by the Accounting Officer has considered the 2009 annual accounts as annexed to this decision.

The Administrative Board has concluded, subject to an unqualified opinion from the Court of Auditors, 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 2009 budget and the activities undertaken by it during this year.

Article 1

The Annual Accounts 2009 are adopted as detailed in Annex 1 of this decision.

¹ OJ L 220, 21.6.2004, p. 3

² OJ L 354, 31.12.2008 p.51.

³ The observations from the Court of Auditors were received at the Agency on 21 June 2010. In their opinion the Agency's annual accounts present fairly, in all material respects, its financial position as of 31 December 2009 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

Article 2

The present decision shall enter into force on the day of its adoption.

Done at Lille on *15/06/2010*

For the Administrative Board

The Chairman

MICHAEL HARTING

Annex 1: ERA Annual Accounts 2009