

## OPINION OF THE GOVERNING BOARD

### on the Final Accounts, including the Budgetary Implementation Report 2021

N°06/2022

THE GOVERNING BOARD OF THE EUROPE'S RAIL JOINT UNDERTAKING, (hereafter referred as "EU-Rail");

Having regard to the Council Regulation (EU) No 2021/2085 of 19 November establishing the Joint Undertakings under Horizon Europe<sup>1</sup>, and in particular Article 17(2)(q) and Article 26(3) thereof;

Having regard to the Financial Rules adopted by the Governing Board Decision on 21 December 2021<sup>2</sup> (hereafter the "Financial Rules")<sup>3</sup> and in particular Article 48 and Article 54;

Having regard to the preliminary observations of the European Court of Auditors ("the Court") on the 2021 provisional accounts of the EU-Rail.

#### WHEREAS

- (1) On 28 February 2022 the accounting officer of the EU-Rail sent the 2021 provisional annual accounts to the President of the Court of Auditors (ref: Ares (2022)1480303).
- (2) On 2 March 2022, the EU-Rail Executive Director submitted the EU-Rail provisional annual accounts to the Governing Board for comments (ref: Ares(2022)1652118)
- (3) The preliminary observations of the Court on the EU-Rail accounts were received on 25 May 2022;
- (4) On receipt of the European Court of Auditors' observations on the EU-Rail provisional annual accounts, the accounting officer drew up the EU-Rail final annual accounts and on 14 June 2022 (Ares(2022)4366225) sent them to the EU-Rail Executive Director,
- (5) The EU-Rail final accounts was audited by the EU-Rail External Auditor and an "Independent Auditor's report on the Final Annual Accounts as at 31 December 2021" was sent on 16 June 2022 (Ref: Ares(2022)4443134).
- (6) On 17 June 2022, the EU-Rail Executive Director submitted the final annual accounts 2021 to the Governing Board for their opinion.
- (7) The Governing Board should deliver an opinion on the final accounts of the EU-Rail,

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<sup>1</sup> OJ L 427, 30.11.2021, p. 17–119.

<sup>2</sup> Decision n° 02/2021, re-adopting Decision of the S2R Governing Board n° 11/2019 dated 20/12/2019 adopting the Financial Rules of the Shift2Rail Joint Undertaking which entered into force on 1 January 2020

<sup>3</sup> <https://shift2rail.org/about-europes-rail/europes-rail-structure-of-governance/europes-rail-governing-board/>

- (8) The Executive Director of the EU-Rail should, by 1 July of the following year, send the final accounts to the European Parliament, the Council, the European Commission and the European Court of Auditors, together with the Governing Board's opinion,
- (9) The final annual accounts differ mainly from the provisional annual accounts, as regards operational expenditure and associated accruals, in kind contributions provided in implementing indirect actions (IKOP) and the disclosure texts pertaining to 2021 IKOP and in-kind contributions provided in implementing additional activities (IKAA) to take into account the updated amounts submitted by the former S2R Members Other than Union by 1 June 2022.

HAS ADOPTED THIS OPINION:

The Governing Board has obtained sufficient assurance in order to conclude that the accounts for the year 2021, taken as a whole, present a true and fair view of the EU-Rail financial position as at 31 December 2021 and properly reflect the implementation of the JU's budget for the year 2021. The Governing Board provides a favourable opinion on the Final Accounts and Budgetary Implementation Report 2021 of the EU-Rail as annexed to this opinion.

Done at Brussels, on 24 June 2022.

For the Governing Board



Henrik HOLELEI  
*The Chairperson*

**Annex:** Final Accounts and Budgetary Implementation Report 2021 of the EU-Rail.