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IFRS-FA – öffentliche SITZUNGSUNTERLAGE

Sitzung:	**36. IFRS-FA / 06.03.2015 / 11:00 – 12:00 Uhr**
TOP:	**09 – IASB ED Classification of Liabilities - Proposed amendments to IAS 1**
Thema:	**Unterscheidung von Kurz- und Langfristigkeit**
Unterlage:	**36_09_IFRS-FA_IAS1_CoverNote**

Sitzungsunterlagen für diesen TOP

1 Für diesen Tagesordnungspunkt (TOP) der Sitzung liegen folgende Unterlagen vor:

Nummer	Titel	Gegenstand
36_09	36_09_IFRS-FA_IAS1_CoverNote	Cover Note
36_09a	36_09a_IFRS-FA_IAS1	Diskussionsgrundlage zum Entwurf inklusive Beurteilung der Vorschläge durch den Projektverantwortlichen
36_09b	36_09b_IFRS-FA_ED_IAS1	IASB ED/2015/1_**bereits mit Mail vom 11.02.2015 versandt**

Stand der Informationen: 20.02.2015.

Ziel der Sitzung

2 Der IASB hat am 10. Februar 2015 den Exposure Draft ED/2015/1 *Classification of Liabilities - Proposed amendments to IAS 1* (Sitzungsunterlage **36_09b**) mit einer Kommentierungsfrist bis zum 10. Juni 2015 veröffentlicht. In der FA-Sitzung soll eine erste Meinungsbildung zu den IASB-Vorschlägen erfolgen. Als Diskussionsgrundlage dient die Sitzungsunterlage **36_09a**.

Hintergrund

3 Der Exposure Draft adressiert identifizierten Klärungsbedarf bei der Unterscheidung von kurz- und langfristigen Schulden für die Darstellung in der Bilanz bzw. für die erforderliche Anhangangabe, sofern Vermögenswerte und Schulden nach ihrer Liquidität in der Bilanz ausgewiesen werden. Der IASB hatte einen ersten Versuch zur Klärung im Rahmen der jährlichen Verbesserungen 2010-2012 unternommen. Die Rückmeldungen zum Exposure Draft ED/2012/1 *Annual Improvements to IFRSs 2010-2012 Cycle* identifizierten gleichwohl zusätzlichen Diskussionsbedarf für den IASB. Der damalige IASB-Vorschlag im ED/2012/1 sowie die Stellungnahme des DRSC sind im Anhang zu dieser Cover Note aufgeführt.

Anhang – ED/2012/1 *Annual Improvements to IFRSs 2010-2012 Cycle - Proposed amendment to IAS 1 Presentation of Financial Statements*

4 IASB-Vorschlag:

IAS 1 Presentation of Financial Statements

Current liabilities

…

73 If an entity expects, and has the discretion, to refinance or roll over an obligation for at least twelve months after the reporting period under an existing loan facility <u>with the same lender, on the same or similar terms</u>, it classifies the obligation as non-current, even if it would otherwise be due within a shorter period. However, when refinancing or rolling over the obligation is not at the discretion of the entity (for example, there is no arrangement for refinancing), the entity does not consider the potential to refinance the obligation and classifies the obligation as current.

IAS 1 Basis for Conclusion

Current/non-current classification of liabilities

BC1 The Board was asked to clarify one of the criteria for the classification of liabilities as current or non-current in paragraph 69(d), when read with paragraph 73. The Board noted that, because of the inclusion of the words 'under an existing loan facility', paragraph 73 applies to situations in which an entity has the discretion to refinance the loan with the same lender. However, the Board thinks that there is a need to clarify whether a loan that the entity has the discretion to refinance with the same lender for at least twelve months after the reporting period should be classified as non-current when different loan terms apply, as well as when the same or similar terms apply. The Board observed that there is currently diversity in practice on the classification of liabilities when different loan terms apply. According to paragraph 3.2.2 of IFRS 9 and paragraph 40 of IAS 39,* a substantial modification of the terms of an existing liability shall be accounted for as an extinguishment of the original financial liability and the recognition of a new financial liability.

BC2 As a result, the Board thinks that if an entity expects, and has the discretion to refinance, an existing loan on substantially different terms, then classification of the loan as non-current at the reporting date would not be consistent with the derecognition guidance for financial liabilities if this existing loan would be derecognised less than twelve months after the reporting date, and replaced by the new refinanced loan facility at that time. Consequently, the Board proposes to amend the wording of paragraph 73 to clarify that, for the paragraph to apply, and for an existing loan that is due within twelve months of the reporting date to be classified as non-current, an entity must expect, and have the discretion to refinance, the loan for at least twelve months after the reporting period with the same lender, on the same or similar terms. In the Board's view, terms are similar if the amendment of the terms would be expected to result in no substantial change to the rights and obligations of the parties to the loan facility.

BC3 The Board also considered the transitional provisions of paragraph 19 in IAS 8 Accounting Policies, Changes in Accounting Estimates and Errors, which require retrospective application. However, given the potential impact of the change and that the proposed clarification may cause entities to choose to renegotiate some loans, the Board thinks that the proposed amendment to IAS 1 should be applied prospectively for annual periods beginning on or after 1 January 2014.

5 Stellungnahme des DRSC:

We partially agree with the Board's proposed amendment. We acknowledge that there is currently diversity in practice as regards the classification of liabilities when different terms apply. Furthermore, there is a perceived inconsistency between the current/non-current classification of liabilities in IAS 1 and derecognition guidance for financial liabilities given in IFRS 9.

Therefore, we fully agree with the proposed amendment to paragraph 73 of IAS 1 related to the classification of a liability as non-current, if it is refinanced or rolled over under the existing loan facility with the same lender. However, with respect to the proposed term 'same or similar terms', we have the following concerns.

The term 'same or similar terms' is ambiguous. For example, it might not be clear how to classify a loan in case the interest rate agreed by the parties involved depends on the entity's rating

- On the one hand, the deterioration of the entity's rating at the time of a loan rollover leads to increased interest payments, which would indicate that the terms are not the same.
- On the other hand, since the connection of the interest rate to the entity's rating is part of the loan conditions agreed already at the inception of this loan, it could be concluded that the same terms apply when rolling over this loan.

It might also not be clear whether the terms of a fixed-interest loan can be assessed as being similar when, in case of a refinancing under the existing loan facilities, the interest rate of this loan will be adjusted to market.

In this context, the purpose of the classification of liabilities as current or non-current in IAS 1 should be considered, which is to provide information about the entity's long-term liquidity situation independent of its creditworthiness or about the same or similar credit conditions.

In addition, we do not support introducing new terminology in IAS 1. As noted in the proposed Basis for Conclusions on IAS 1, one of the Board's intentions for the proposed amendment is to remove inconsistencies between IAS 1 and IFRS 9 regarding the classification / derecognition of financial liabilities when different loan terms apply. To achieve this, we think it would be favourable to either use the same wording in both standards or to explain whether different terms in both standards ('same or similar terms', 'no substantial change to the rights and obligations', 'substantial modification' and 'substantially different terms') are used with the same meaning. Further, we question whether the '10 per cent extinguishment test' as described in B 3.3.6 of IFRS 9 and AG 62 of IAS 39 can be used when assessing the similarity of the loan terms.

Therefore, we would encourage the IASB to reconsider the term 'same or similar terms' and to ensure consistency with the terms used in IFRS 9 and IAS 39. Furthermore, we suggest explaining this term in the standard itself rather than in the Basis for Conclusions on IAS 1.

Furthermore, we believe that the wording of the first sentence of paragraph 73 of IAS 1 should be improved. Firstly, it might not be clear whether the terms should be assessed as similar when only a part of an existing obligation is expected to be refinanced or rolled over. Secondly, the word 'discretion' implies a judgment factor which may not be an intention of the requirement of this paragraph. Accordingly, we would suggest amending the wording of the proposed first sentence of paragraph 73 of IAS 1 as follows:

"If an entity expects, and has ~~the discretion~~ the right and the ability at the reporting date to refinance or roll over an obligation fully or partially for at least twelve months after the reporting period under an existing loan facility with the same lender, on the same or similar terms, it classifies the obligation as non-current, even if it would otherwise be due within a shorter period."

Finally, the reference in BC1 and in the footnote to BC1 to paragraph 3.2.2 of IFRS 9 in the proposed amendment is not correct. It should be 3.3.2.