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IFRS-FA – öffentliche SITZUNGSUNTERLAGE

Sitzung:	**38. IFRS-FA / 19.05.2015 / 09:00 – 10:30 Uhr**
TOP:	**07 – Interpretationsaktivitäten**
Themen:	**TAD zu IAS 19 / IFRIC 14**
Unterlage:	**38_07a_IFRS-FA_Interpret_IAS19**

1 Hintergründe/Vorgeschichte

1 Im Januar 2015 wurde an das IFRS IC die Frage gerichtet, welcher Zeitraum im Rahmen des *asset ceiling tests* gemäß IAS 19.64 und IFRIC 14 zu berücksichtigen ist, wenn regelmäßig neu zu verhandelnde Mindestdotierungspflichten bestehen. Im Februar 2015 hatte das IFRS IC einen *Outreach Requests* hierzu gestartet. Dabei wurde der Sachverhalt wie folgt übermittelt:

> 1. Background
>
> In this case, a minimum funding arrangement is regularly renegotiated with the pension trustees, eg on an annual or triennial basis.
>
> The negotiated amount must be paid for a fixed period, eg five years. There may be a notice period required before an entity can choose to cease future pension funding, however it will not be contractually required to continue with future pension contributions over the life of the plan.
>
> If the pension plan is continued, this arrangement should be continuously renewed and the contribution rate is renegotiated between the entity and the trustees. However, if the plan is wound up, this agreement does not need to be renewed.
>
> **2. Divergent views identified by the submitter**
>
> The submitter has identified divergent views with respect to the period for which the future minimum funding requirement contributions should be included in the calculation, when these are the contractual amounts agreed with pension trustees.
>
> ***View 1: Assume that the future minimum funding requirement will apply for only the minimum period agreed with the pension trustees***
>
> - Proponents of View 1 argue that paragraph 21 of IFRIC 14 only requires minimum funding requirements to be included in an asset ceiling test for the fixed period to which an entity has contractually agreed at the balance sheet date.
> - For example, if the entity is only committed to make minimum contributions for five years, only five years of minimum pension contributions would be included in the asset ceiling test.
>
> ***View 2: Assume that the minimum funding requirement will continue over the estimated life of the pension plan***

- Proponents of View 2 argue that the requirement to use terms and conditions contractually agreed at the balance sheet date refers only to the agreed contribution rate.
- They think that paragraph 21 does not explicitly refer to the period for which minimum funding requirements should be included. They also think that this paragraph requires an entity to use the assumptions consistent with those used to determine the defined benefit obligation and with the situation that exists at the end of the reporting period as determined by IAS 19, for any factors not specified by the minimum funding basis.
- Proponents of View 2 also argue that using the consistent period for future service costs and minimum funding requirements is a better reflection of how the funding arrangements work in practice.

3. Questions

1. In your jurisdiction, is the funding arrangement which is similar to the arrangement described in the submission common?
2. If you answered 'yes' to Question 1, what is the predominant accounting treatment for this? In addition, could you please briefly describe the rationale for that accounting treatment? (If possible, please provide examples of the predominant approach that you observe. Ideally this should be an example from published financial statements but examples provided on a confidential basis will also be useful.)
3. On the basis of your response to Question 2, to what extent do you observe diversity in the accounting treatment?

2 Die DRSC-Antwort vom 18. März 2015 hierzu lautete wie folgt:

Ad 1) Similar funding arrangements are not common in our jurisdiction.

Ad 2) Since the issue is not common, we provide our view from a theoretical perspective: Mixed views were brought to our attention as to whether view 1 or view 2 is appropriate. We agree that IFRIC 14.21 is the relevant paragraph, and it seems to support either of the views. Since the appropriate "period" is not mentioned explicitly, the answer must be derived from an interpretation of the guidance available. To our view, the 2nd phrase in para. 21 would rather support view 2 as the use of assumptions is required. However, the 4th phrase in para. 21 would rather support view 1 as effects from changes (e.g. prolongation) that are not substantively enacted shall be excluded. To sum up, para. 21 in itself is unclear, if not contradictory, and warrants clarification.

Ad 3) n.a.

3 In der IFRS IC-Sitzung im März 2015 wurde das Thema erstmals öffentlich erörtert. In derselben Sitzung, also nach einmaliger Diskussion, hat das IFRS IC bereits folgende vorläufige Agenda-Entscheidung (TAD) getroffen (vgl. IFRIC Update, S. 5):

The IFRS IC received a request to clarify whether the future minimum funding requirement for contributions to cover future service would apply for only the minimum fixed period, in the following circumstances:

a. the contribution rate under the minimum funding arrangement is regularly renegotiated with the pension fund trustees, for example, on an annual or triennial basis;
b. the agreed amounts of the contributions in the arrangement must then be paid for a fixed period;

c. a pension regulation requires the Trustees to prepare funding principles for securing that the statutory funding objective is met;
d. a pension regulation or a contractual agreement, or both, require the entity and the Trustees to renew the agreement to decide the schedule of contributions regularly under the existing funding principles, if the plan is continued;
e. this agreement does not need to be renewed if the plan is wound up;
f. the entity can decide to wind up or close a plan for future accruals, if it agrees with the Trustees; and
g. neither a plan wind-up nor a plan closure for future accruals has been decided at the end of the reporting period.

The issue could affect the amount of the net defined benefit asset to be recognised in the entity's statement of financial position.

The IFRS IC noted that an entity's minimum funding requirements at a given date can be analysed into the contributions that are required to cover:
a. an existing shortfall for past service on the minimum funding basis; and
b. future service as explained in IFRIC 14.BC25

This issue is related to the minimum funding requirement for contributions to cover future service.

The IFRS IC also noted that the level of the contributions will be subject to future negotiations, although the entity must continue to make contributions for future service under the existing funding principles, if the plan continues after the minimum period.

When the entity estimates the future minimum funding requirement contributions in the circumstances described, the IFRS IC noted that the entity should assume a continuation of the existing funding principles for future service, because:
a. for any factors not specified by the minimum funding basis (for example, the period to continue the plan is not specified by the existing funding principles), the assumptions for determining future service costs and those used to estimate the future minimum funding requirement contributions for future service must be consistent. This is because IFRIC 14.17 and .21 require an entity to use assumptions that are consistent with those used to determine the defined benefit obligation and with the situation that exists at the end of the reporting period.
b. the estimate should not include changes to the funding principles to determine contributions for future service, if such changes require future negotiations with the Trustees, in accordance with IFRIC 14.21 and BC30.

On the basis of this analysis, the IFRS IC determined that, in the light of the existing IFRS requirements, sufficient guidance exists and that neither an Interpretation nor an amendment to a Standard was necessary and therefore [decided] not to add this issue to its agenda.

4 Der IFRS-FA hatte hierzu in seiner 37. Sitzung gemäß Protokoll Folgendes geäußert:

> Die vorläufige Entscheidung betreffend IFRIC 14/IAS 19 wird grundsätzlich als in Deutschland kaum relevant und daher unkritisch gewürdigt. Gleichwohl soll hierzu nochmals die DRSC Arbeitsgruppe Pensionen konsultiert werden, deren Einschätzung in der nächsten Sitzung des IFRS-FA zu erörtern ist.

2 Antworten der AG Pensionen

5 Nach den Kenntnissen der AG-Mitglieder treten Pensionspläne mit Mindestdotierungsverpflichtungen in Deutschland nur sehr selten auf. Bei bestimmten Marktkonstellationen könnte es bei einigen Pensionskassen zu Zuschussverpflichtungen des Unternehmens kommen, die ggf. als Mindestdotierungsverpflichtung angesehen werden könnten. In der Schweiz und in UK sind Pensionspläne mit Mindestdotierungsverpflichtungen verbreiteter als in Deutschland. Daher hat dieses Thema für deutsche Unternehmen mit Tochterunternehmen in diesen Ländern eine gewisse Relevanz.

6 Die AG-Mitglieder betrachten die Sichtweise 2 als die gängige Praxis, auch wenn sie die Anwendung von Sichtweise 1 aus Vereinfachungsgründen vereinzelt beobachtet haben. Sie sehen die Sichtweise 2 zudem als sachgerechte Anwendung des Standards an.

7 Es kann unterstellt werden, dass Unternehmen versuchen, Mindestdotierungsverpflichtungen zu reduzieren, wenn sie aus der Dotierung des Plans keine bzw. geringere Vorteile erzielen können. Nach Auffassung der AG sollte dieses vermutete Verhalten der Unternehmen nicht beim *asset ceiling test* gemäß IAS 19.64 und IFRIC 14 berücksichtigt werden. Sofern nach dem Auslaufen der gegenwärtigen Vereinbarung zur Mindestdotierungsverpflichtung sehr wahrscheinlich eine andere Mindestdotierungsverpflichtung vereinbart werden wird, sollte dies im Rahmen des *asset ceiling test* berücksichtigt werden.

> **Frage 1:**
> Möchte der IFRS-FA eine Stellungnahme an das IFRS IC zu dieser vorläufigen Agendaentscheidung senden?