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COVER NOTE

From:	European Commission
date of receipt:	11 July 2023
To:	General Secretariat of the Council
No. Cion doc.:	D090395/01
Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Commission Regulation (EU) <i>(due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission)</i> /2023 as regards International Financial Reporting Standard 16

Delegations will find attached document D090395/01.

Encl.: D090395/01



Brussels, XXX
[...] (2023) XXX draft

D090395/01

COMMISSION REGULATION (EU) .../...

of XXX

amending Commission Regulation (EU) *(due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission)*/2023 as regards International Financial Reporting Standard 16

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Commission Regulation (EU) (*due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission*)/2023 as regards International Financial Reporting Standard 16

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards¹, and in particular Article 3(1) thereof,

Whereas:

- (1) By Commission Regulation (EU) (*due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission*)/2023² certain international accounting standards and interpretations that were in existence on ... Month 2023 were adopted.
- (2) On 22 September 2022, the International Accounting Standards Board issued amendments to International Financial Reporting Standard 16 *Leases* ('IFRS 16'), which lays down how a company should recognise, measure, present and disclose leases. The amendments to IFRS 16 specify how the seller-lessee subsequently measures sale and leaseback transactions.
- (3) Following the consultation with the European financial reporting advisory group EFRAG, the Commission concludes that the amendments to IFRS 16 meet the criteria for adoption set out in Article 3(2) of Regulation (EC) No 1606/2002.
- (4) Commission Regulation (EU) (*due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission*)/2023 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Accounting Regulatory Committee,

¹ OJ L 243, 11.9.2002, p. 1.

² will be updated once the new IFRS Regulation is adopted by the Commission.

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Commission Regulation (EU) (*due to the current repeal and replacement exercise of the consolidated IFRS Regulation (EC) No 1126/2008 (ISC/2023/01135) the new number will be added once the new IFRS Regulation is adopted by the Commission*)/2023, International Financial Reporting Standard 16 *Leases* is amended as set out in the Annex to this Regulation.

Article 2

Each company shall apply the amendments referred to in Article 1, at the latest, as from the commencement date of its first financial year starting on or after 1 January 2024.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission
The President
Ursula von der Leyen*