

NZ IFRIC 5 (PBE)



NZ IFRIC Interpretation 5 (PBE)

Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds (NZ IFRIC 5 (PBE))

Issued November 2012 excluding consequential amendments resulting from early adoption of NZ IFRS 9 (2010) (PBE) *Financial Instruments*

This Interpretation was issued by the New Zealand Accounting Standards Board of the External Reporting Board pursuant to section 24(1)(a) of the Financial Reporting Act 1993.

This Interpretation is a Regulation for the purposes of the Regulations (Disallowance) Act 1989.

As at 1 December 2012, the requirements in this Interpretation are identical to the requirements in NZ IFRIC 5 *Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds* as applied by public benefit entities. Versions of NZ IFRIC 5 applied by public benefit entities prior to adoption of this Interpretation are available in the Archived Standards page of the External Reporting Board (XRB) website at xrb.govt.nz

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HISTORY OF AMENDMENTS

Table of Pronouncements – NZ IFRIC 5 (PBE) *Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds*

This table lists the pronouncement establishing NZ IFRIC 5 (PBE).

Pronouncements	Date approved	Early operative date	Effective date (annual reporting periods... on or after ...)
NZ IFRIC 5 (PBE) <i>Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds</i>	Nov 2012	Early application permitted	1 Dec2012

Table of Amended Paragraphs in NZ IFRIC 5 (PBE)		
Paragraph affected	How affected	By ... [date]
Paragraph NZ 3.1	Inserted	NZ IFRIC 5 (PBE) [Nov 2012]
Paragraph 14	Not used	NZ IFRIC 5 (PBE) [Nov 2012]
Paragraph NZ 14.1	Inserted	NZ IFRIC 5 (PBE) [Nov 2012]

The following tables list the pronouncements establishing and substantially amending NZ IFRIC 5 (other than consequential amendments resulting from early adoption of NZ IFRS 9 (2010) *Financial Instruments*) as applied by PBEs prior to the issue of this Interpretation as NZ IFRIC 5 (PBE).

Pronouncements	Date approved	Early operative date	Effective date (annual reporting periods... on or after ...)
NZ IFRIC 5 <i>Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds</i>	April 2005	Early application encouraged	1 Jan 2007

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NZ IFRIC Interpretation 5 (PBE) *Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds* (NZ IFRIC 5 (PBE)) is set out in paragraphs 1–15 and the Appendix.

NZ IFRIC 5 (PBE) is based on IFRIC 5 *Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds* (IFRIC 5). NZ IFRIC 5 (PBE) should be read in the context of the IFRIC’s Basis for Conclusions on IFRIC 5.

Any additional material is shown with grey shading. The paragraphs are denoted with “NZ” and identify the types of entities to which the paragraphs apply.

Differential Reporting

Qualifying entities must comply with all the provisions in NZ IFRIC 5 (PBE).

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References

- NZ IAS 8 (PBE) *Accounting Policies, Changes in Accounting Estimates and Errors*
- NZ IAS 27 (PBE) *Consolidated and Separate Financial Statements*
- NZ IAS 28 (PBE) *Investments in Associates*
- NZ IAS 31 (PBE) *Interests in Joint Ventures*
- NZ IAS 37 (PBE) *Provisions, Contingent Liabilities and Contingent Assets*
- NZ IAS 39 (PBE) *Financial Instruments: Recognition and Measurement*
- NZ SIC-12 (PBE) *Consolidation – Special Purpose Entities*

NZ IFRIC 5 (PBE) is identical to NZ IFRIC 5 as applied by public benefit entities prior to the issuance of NZ IFRIC 5 (PBE). That is, there are no changes to the recognition, measurement, presentation and disclosure requirements of NZ IFRIC 5 on adoption of this Interpretation.

Background

- 1 The purpose of decommissioning, restoration and environmental rehabilitation funds, hereafter referred to as 'decommissioning funds' or 'funds', is to segregate assets to fund some or all of the costs of decommissioning plant (such as a nuclear plant) or certain equipment (such as cars), or in undertaking environmental rehabilitation (such as rectifying pollution of water or restoring mined land), together referred to as 'decommissioning'.
- 2 Contributions to these funds may be voluntary or required by regulation or law. The funds may have one of the following structures:
 - (a) funds that are established by a single contributor to fund its own decommissioning obligations, whether for a particular site, or for a number of geographically dispersed sites.

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- (b) funds that are established with multiple contributors to fund their individual or joint decommissioning obligations, when contributors are entitled to reimbursement for decommissioning expenses to the extent of their contributions plus any actual earnings on those contributions less their share of the costs of administering the fund. Contributors may have an obligation to make additional contributions, for example, in the event of the bankruptcy of another contributor.
 - (c) funds that are established with multiple contributors to fund their individual or joint decommissioning obligations when the required level of contributions is based on the current activity of a contributor and the benefit obtained by that contributor is based on its past activity. In such cases there is a potential mismatch in the amount of contributions made by a contributor (based on current activity) and the value realisable from the fund (based on past activity).
- 3 Such funds generally have the following features:
- (a) the fund is separately administered by independent trustees.
 - (b) entities (contributors) make contributions to the fund, which are invested in a range of assets that may include both debt and equity investments, and are available to help pay the contributors' decommissioning costs. The trustees determine how contributions are invested, within the constraints set by the fund's governing documents and any applicable legislation or other regulations.
 - (c) the contributors retain the obligation to pay decommissioning costs. However, contributors are able to obtain reimbursement of decommissioning costs from the fund up to the lower of the decommissioning costs incurred and the contributor's share of assets of the fund.
 - (d) the contributors may have restricted access or no access to any surplus of assets of the fund over those used to meet eligible decommissioning costs.

Scope

NZ 3.1 This Interpretation applies only to public benefit entities.

- 4 This Interpretation applies to accounting in the financial statements of a contributor for interests arising from decommissioning funds that have both of the following features:
- (a) the assets are administered separately (either by being held in a separate legal entity or as segregated assets within another entity); and
 - (b) a contributor's right to access the assets is restricted.
- 5 A residual interest in a fund that extends beyond a right to reimbursement, such as a contractual right to distributions once all the decommissioning has been

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completed or on winding up the fund, may be an equity instrument within the scope of NZ IAS 39 (PBE) and is not within the scope of this Interpretation.

Issues

- 6 The issues addressed in this Interpretation are:
- (a) how should a contributor account for its interest in a fund?
 - (b) when a contributor has an obligation to make additional contributions, for example, in the event of the bankruptcy of another contributor, how should that obligation be accounted for?

Consensus

Accounting for an interest in a fund

- 7 The contributor shall recognise its obligation to pay decommissioning costs as a liability and recognise its interest in the fund separately unless the contributor is not liable to pay decommissioning costs even if the fund fails to pay.
- 8 The contributor shall determine whether it has control, joint control or significant influence over the fund by reference to NZ IAS 27 (PBE), NZ IAS 28 (PBE), NZ IAS 31 (PBE) and NZ SIC-12 (PBE). If it does, the contributor shall account for its interest in the fund in accordance with those Standards.
- 9 If a contributor does not have control, joint control or significant influence over the fund, the contributor shall recognise the right to receive reimbursement from the fund as a reimbursement in accordance with NZ IAS 37 (PBE). This reimbursement shall be measured at the lower of:
- (a) the amount of the decommissioning obligation recognised; and
 - (b) the contributor's share of the fair value of the net assets of the fund attributable to contributors.

Changes in the carrying value of the right to receive reimbursement other than contributions to and payments from the fund shall be recognised in profit or loss in the period in which these changes occur.

Accounting for obligations to make additional contributions

- 10 When a contributor has an obligation to make potential additional contributions, for example, in the event of the bankruptcy of another contributor or if the value of the investment assets held by the fund decreases to an extent that they are insufficient to fulfil the fund's reimbursement obligations, this obligation is a

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contingent liability that is within the scope of NZ IAS 37 (PBE). The contributor shall recognise a liability only if it is probable that additional contributions will be made.

Disclosure

- 11 A contributor shall disclose the nature of its interest in a fund and any restrictions on access to the assets in the fund.
- 12 When a contributor has an obligation to make potential additional contributions that is not recognised as a liability (see paragraph 10), it shall make the disclosures required by paragraph 86 of NZ IAS 37 (PBE).
- 13 When a contributor accounts for its interest in the fund in accordance with paragraph 9, it shall make the disclosures required by paragraph 85(c) of NZ IAS 37 (PBE).

Effective date

- 14 [Not used]

NZ 14.1 A public benefit entity shall apply this Interpretation for annual periods beginning on or after 1 December 2012. Early application is permitted. This Interpretation replaces NZ IFRIC 5 as applied by public benefit entities prior to the issuance of this Interpretation. There are no changes to the requirements of NZ IFRIC 5 as applied by public benefit entities.

Transition

- 15 [Deleted]

IFRIC Basis for Conclusions

BC1–BC28 [Paragraphs BC1–BC28 do not form part of NZ IFRIC 5 (PBE).]