



ÅRSREGNSKAPET FOR REGNSKAPSÅRET 2020 - GENERELL INFORMASJON

Enheten

Organisasjonsnummer: 996 540 820
Organisasjonsform: Aksjeselskap
Foretaksnavn: BERGEN ENGINES PROPERTYCO AS
Forretningsadresse: Hordvikneset 125
5108 HORDVIK

Regnskapsår

Årsregnskapets periode: 01.01.2020 - 31.12.2020

Konsern

Morselskap i konsern: Nei

Regnskapsregler

Regler for små foretak benyttet: Ja
Benyttet ved utarbeidelsen av årsregnskapet til selskapet: Regnskapslovens alminnelige regler

Årsregnskapet fastsatt av kompetent organ

Bekreftet av representant for selskapet: Marta Heidi Klever
Dato for fastsettelse av årsregnskapet: 22.06.2021

Grunnlag for avgivelse

År 2020: Årsregnskapet er elektronisk innlevert
År 2019: Tall er hentet fra elektronisk innlevert årsregnskap fra 2020

Det er ikke krav til at årsregnskapet m.v. som sendes til Regnskapsregisteret er undertegnet. Kontrollen på at dette er utført ligger hos revisor/enhetens øverste organ. Sikkerheten ivaretas ved at innsender har rolle/rettighet for innsending av årsregnskapet via Altinn, og ved at det bekreftes at årsregnskapet er fastsatt av kompetent organ.

Brønnøysundregistrene, 10.07.2022



Resultatregnskap

Beløp i: NOK	Note	2020	2019
RESULTATREGNSKAP			
Inntekter			
Annen driftsinntekt	8	28 906 000	28 279 000
Sum inntekter		28 906 000	28 279 000
Kostnader			
Avskrivning	4	2 964 000	2 994 000
Annen driftskostnad	5	2 962 000	2 713 000
Sum kostnader		5 926 000	5 707 000
Driftsresultat		22 979 000	22 572 000
Finansinntekter og finanskostnader			
Annen finansinntekt		1 000	2 000
Sum finansinntekter		1 000	2 000
Annen finanskostnad		4 000	26 000
Sum finanskostnader		4 000	26 000
Netto finans		-3 000	-24 000
Ordinært resultat før skattekostnad		22 976 000	22 548 000
Skattekostnad på ordinært resultat	9	5 055 000	4 961 000
Ordinært resultat etter skattekostnad		17 921 000	17 587 000
Årsresultat		17 921 000	17 587 000
Overføringer og disponeringer			
Konsernbidrag	3	19 344 000	18 968 000
Overføringer annen egenkapital	3	-1 422 000	-1 381 000
Sum overføringer og disponeringer		17 921 000	17 587 000



Balanse

Beløp i: NOK	Note	2020	2019
BALANSE - EIENDELER			
Anleggsmidler			
Immaterielle eiendeler			
Utsatt skattefordel	9	2 363 000	1 962 000
Sum immaterielle eiendeler		2 363 000	1 962 000
Varige driftsmidler			
Tomter, bygninger og annen fast eiendom	4	8 922 000	11 886 000
Sum varige driftsmidler		8 922 000	11 886 000
Sum anleggsmidler		11 286 000	13 848 000
Omløpsmidler			
Varer			
Fordringer			
Kundefordringer	7	7 760 000	5 519 000
Andre fordringer	7	3 000	100 000
Sum fordringer		7 763 000	5 619 000
Bankinnskudd, kontanter og lignende			
Sum bankinnskudd, kontanter og lignende	6	980 000	1 969 000
Sum omløpsmidler		8 743 000	7 589 000
SUM EIENDELER		20 029 000	21 437 000
BALANSE - EGENKAPITAL OG GJELD			
Egenkapital			
Innskutt egenkapital			
Aksjekapital	2, 3	8 682 000	8 682 000
Overkurs	3	11 302 000	12 338 000
Sum innskutt egenkapital		19 985 000	21 020 000



Balanse

Beløp i: NOK	Note	2020	2019
Opptjent egenkapital			
Annen egenkapital	3		387 000
Sum opptjent egenkapital			387 000
Sum egenkapital		19 985 000	21 407 000
Sum langsiktig gjeld		0	0
Kortsiktig gjeld			
Annen kortsiktig gjeld		44 000	30 000
Sum kortsiktig gjeld		44 000	30 000
Sum gjeld		44 000	30 000
SUM EGENKAPITAL OG GJELD		20 029 000	21 437 000



Brønnøysundregistrene

ÅRSREGNSKAP FOR REGNSKAPSÅRET 2020 - GENERELL INFORMASJON

Journalnummer: 2021 621382

Enheten

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Organisasjonsform: Aksjeselskap
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Forretningsadresse: Hordvikneset 125
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Morselskap i konsern: Nei

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Benyttet ved utarbeidelsen av
årsregnskapet til selskapet: Regnskapslovens alminnelige regler
Har utarbeidet 'land-for-land' rapport: Ja

Årsregnskapet fastsatt av kompetent organ

Bekreftet av representant for selskapet: Marta Heidi Klever
Dato for fastsettelse av årsregnskapet: 22.06.2021

Grunnlag for avgivelse

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Brønnøysundregistrene, 17.08.2021



Organisasjonsnr: 996 540 820
BERGEN ENGINES PROPERTYCO AS

RESULTATREGNSKAP

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Organisasjonsnr: 996 540 820
BERGEN ENGINES PROPERTYCO AS

BALANSE

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Sum opptjent egenkapital			387 000
Sum egenkapital		19 985 000	21 407 000
Sum langsiktig gjeld		0	0
Kortsiktig gjeld			



Annen kortsiktig gjeld	44 000	30 000
Sum kortsiktig gjeld	44 000	30 000
Sum gjeld	44 000	30 000
SUM EGENKAPITAL OG GJELD	20 029 000	21 437 000



Organisasjonsnr: 996 540 820
BERGEN ENGINES PROPERTYCO AS

NOTEOPPLYSNINGER - SELSKAP - alle poster oppgitt i hele tall

Note
2

Antall aksjer og aksjeeiere

<u>Aksjeklasse</u>	<u>Ant. aksjer</u>	<u>Pålydende</u>	<u>Bokført verdi</u>
Ordinære aksjer	86824.00	100.00	8682400.00

<u>Aksjeeiere - fritekst</u>	<u>Antall</u>	<u>Eierandel</u>	<u>Aksjeklasse</u>
Bergen Engines AS	86824.00	100.00%	Ordinary shares

<u>Sum</u>	<u>Sum antall</u>	<u>Sum eierandel</u>
	86824.00	100.00%

Note
5

Lønn og ytelser

There are no employees in the company. No wages or remunerations have been paid to management or Board of Directors.

Note

Ytelser til revisjon

<u>Revisjon</u>	<u>Årets</u>	<u>Fjorårets</u>
	35000000.00	33000000.00

<u>Sum godtgjørelse til revisor</u>	<u>Årets</u>	<u>Fjorårets</u>
	35000000.00	33000000.00

Note

Antall årsverk i regnskapsåret

Virksomheten har hatt følgende antall årsverk:
0.00



To the General Meeting of Bergen Engines Propertyco AS

Independent Auditor's Report

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of Bergen Engines Propertyco AS, which comprise the balance sheet as at 31 December 2020, the income statement for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements are prepared in accordance with law and regulations and give a true and fair view of the financial position of the Company as at 31 December 2020, and its financial performance for the year then ended in accordance with the Norwegian Accounting Act and accounting standards and practices generally accepted in Norway.

Basis for Opinion

We conducted our audit in accordance with laws, regulations, and auditing standards and practices generally accepted in Norway, including International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Company as required by laws and regulations, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other information

Management is responsible for the other information. The other information comprises information in the annual report, except the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

*PricewaterhouseCoopers AS, Sandviksbodene 2A, Postboks 3984 - Sandviken, NO-5835 Bergen
T: 02316, org. no.: 987 009 713 VAT, www.pwc.no
State authorised public accountants, members of The Norwegian Institute of Public Accountants, and
authorised accounting firm*



Independent Auditor's Report - Bergen Engines Propertyco AS



Responsibilities of the Board of Directors and the Managing Director for the Financial Statements

The Board of Directors and the Managing Director (management) are responsible for the preparation in accordance with law and regulations, including a true and fair view of the financial statements in accordance with the Norwegian Accounting Act and accounting standards and practices generally accepted in Norway, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern. The financial statements use the going concern basis of accounting insofar as it is not likely that the enterprise will cease operations.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with laws, regulations, and auditing standards and practices generally accepted in Norway, including ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

For further description of Auditor's Responsibilities for the Audit of the Financial Statements reference is made to <https://revisorforeningen.no/revisjonsberetninger>

Report on Other Legal and Regulatory Requirements

Opinion on Registration and Documentation

Based on our audit of the financial statements as described above, and control procedures we have considered necessary in accordance with the International Standard on Assurance Engagements (ISAE) 3000, *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*, it is our opinion that management has fulfilled its duty to produce a proper and clearly set out registration and documentation of the Company's accounting information in accordance with the law and bookkeeping standards and practices generally accepted in Norway.

Bergen, 22 June 2021
PricewaterhouseCoopers AS

Fredrik Gabrielsen
State Authorised Public Accountant

(2)



Independent Auditor's Report - Bergen Engines Propertyco AS



(This document is signed electronically)

(3)



 Securely signed with Brevio

Revisjonsberetning

Signers:

Name	Method	Date
Gabrielsen, Fredrik	BANKID_MOBILE	2021-06-22 11:55

This document package contains:

- Closing page (this page)
- The original document(s)
- The electronic signatures. These are not visible in the document, but are electronically integrated.



This file is sealed with a digital signature.
The seal is a guarantee for the authenticity
of the document.



Bergen Engines PropertyCo AS

Annual report 2020

Information from board of directors

Annual accounts

- Income statement
- Balance sheet
- Notes

Auditors' report



Bergen Engines PropertyCo AS

Information from board of directors 2020

Bergen Engines PropertyCo AS

Adress: Hordvikneset 125, 5108 HORDVIK

Org.nr: 996540820 MVA

Business: Rental of own property

The business

Bergen Engines PropertyCo AS is engaged in owning and rental of property to its parent company Bergen Engines AS. The company's head office is located in Bergen. The ultimate shareholder is Rolls-Royce Plc Holdings Ltd. On 28 February 2020 the Rolls-Royce Group announced the decision to carry out a strategic review of the Bergen Engines group. On 1 February 2021, the Rolls-Royce Group signed an agreement for the sale of the Bergen Engines group to TMH Group for a cash consideration of approximately €150m (subject to closing adjustments). On 23 March 2021, the Norwegian government informed publicly that it had decided to prohibit the announced sale of the Bergen Engines group to TMH International.

Financial performance

The Board considers that the annual accounts give an accurate description of Bergen Engines PropertyCo AS's assets and liabilities, financial position and result. The company is not exposed to any specific factors influencing its business. The revenue from property rent is determined at a market price.

Future outlook

Ownership of the Bergen Engines group is expected to change, due to the ongoing strategic review. The business is continuing operations in 2021 as before. The company is not directly exposed to effects from Covid 19, as both revenues and costs to a high degree are fixed. As the main customer is Bergen Engines AS, Bergen Engines PropertyCo may be affected of the situation in Bergen Engines AS, which is directly exposed due to both international sourcing as well as international customers. Any measures given from the government will be considered for the benefit of the Bergen Engines group.

Research and development activities

The company did not carry out research and development activities in 2020.

Going concern

In accordance with section 3-3 of the Accountancy Act, we confirm that Bergen Engines PropertyCo AS meets the requirements for continuation as a going concern.

Working environment

The company has no employees. The board consists of two men.

The external environment

The company does not engage in any activities which pollute the environment.

Bergen, 22 June 2021

Board of Bergen Engines PropertyCo AS


Jon Erik Røv
Chairman, General Manager


Sondre Johan Worsøe
Board member



Bergen Engines PropertyCo AS

Income statement

Amounts in NOK thousands	Note	2020	2019
Revenue			
Other operating income	8	28 906	28 279
Operating expenses			
Depreciation of tangible and intangible fixed assets	4	2 964	2 994
Other operating expenses	5	2 962	2 713
Total operating expenses		5 926	5 707
Operating result		22 979	22 572
Financial income and expenses			
Other financial income		1	2
Other financial expenses		4	26
Net financial items		-3	-24
Ordinary result before tax		22 976	22 548
Tax on ordinary result	9	5 055	4 961
Net profit or loss for the year		17 921	17 587
Allocated as follows			
Group contribution	3	19 344	18 968
Transferred to other equity	3	-1 422	-1 381
Total allocations		17 921	17 587



Bergen Engines PropertyCo AS

Balance sheet as of December 31

Amounts in NOK thousands	Note	2020	2019
Fixed assets			
<i>Intangible assets</i>			
Deferred tax asset	9	2 363	1 962
Total intangible assets		2 363	1 962
<i>Tangible assets</i>			
Land, buildings and other real property	4	8 922	11 886
Total tangible assets		8 922	11 886
Total fixed assets		11 286	13 848
Current assets			
<i>Receivables</i>			
Trade receivables	7	7 760	5 519
Other receivables	7	3	100
Total accounts receivable		7 763	5 619
Cash and cash equivalents	6	980	1 969
Total current assets		8 743	7 589
Total assets		20 029	21 437

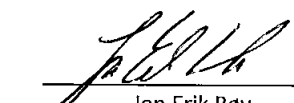


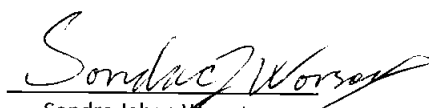
Bergen Engines PropertyCo AS

Balance sheet as of December 31

Amounts in NOK thousands	Note	2020	2019
Equity			
<i>Paid-in capital</i>			
Share capital	2, 3	8 682	8 682
Share premium reserve	3	11 302	12 338
Total paid-in capital		<u>19 985</u>	<u>21 020</u>
<i>Retained earnings</i>			
Other equity	3	<u>0</u>	<u>387</u>
Total retained earnings		<u>0</u>	<u>387</u>
Total equity		<u>19 985</u>	<u>21 407</u>
Liabilities			
<i>Current liabilities</i>			
Other short-term liabilities		<u>44</u>	<u>30</u>
Total current liabilities		<u>44</u>	<u>30</u>
Total liabilities		<u>44</u>	<u>30</u>
Total equity and liabilities		<u>20 029</u>	<u>21 437</u>

31 December 2020
Bergen, 22 June 2021


Jon Erik Røv
Chairman, General Manager


Sondre Johan Worsøe
Board member



Bergen Engines PropertyCo AS

Notes to the accounts for 2020

Amounts in NOK thousands

Note - 1 Accounting Principles

The annual report is prepared according to the Norwegian Accounting Act 1998 and generally accepted accounting principles for small companies.

Group accounts

Bergen Engines AS, the shareholder in Bergen Engines PropertyCo AS, is 100% owned by Rolls-Royce Power Systems AS, which is 100 % owned by Rolls-Royce Plc. The company is ultimately consolidated by Rolls-Royce Plc with business address in London. Group accounts of Rolls-Royce Plc can be obtained at www.rolls-royce.com. Bergen Engines AS has, in accordance with Norwegian Accounting Act § 3-7, opted not to prepare group accounts.

Rent income

Revenue from rent is recognised in the income statement in accordance with the rent period.

Balance sheet classification

Net current assets comprise creditors due within one year, and entries related to goods circulation. Other entries are classified as fixed assets and/or long term creditors.

Current assets are valued at the lower of acquisition cost and fair value. Short term creditors are recognized at nominal value.

Fixed assets are valued by the cost of acquisition, in the case of non incidental reduction in value the asset will be written down to the fair value amount. Long term creditors are recognized at nominal value.

Trade and other receivables

Trade receivables and other current receivables are recorded in the balance sheet at nominal value less provisions for doubtful debts. Provisions for doubtful debts are calculated on the basis of individual assessments. In addition, for the remainder of accounts receivables outstanding balances, a general provision is carried out based on expected loss.

Property, plant and equipment

Property, plant and equipment is capitalized and depreciated over the estimated useful economic life. Direct maintenance costs are expensed as incurred, whereas improvements and upgrading are assigned to the acquisition cost and depreciated along with the asset. If carrying value of a non current asset exceeds the estimated recoverable amount, the asset is written down to the recoverable amount. The recoverable amount is the greater of the net selling price and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value.

Income tax

Tax expenses in the profit and loss account comprise both tax payable for the accounting period and changes in deferred tax. Deferred tax is calculated at 22 percent on the basis of existing temporary differences between accounting profit and taxable profit together with tax deductible deficits at the year end. Temporary differences both positive and negative, are balance out within the same period. Deferred tax assets are recorded in the balance sheet to the extent it is more likely than not that the tax assets will be utilized.

To what extent group contribution not is registered in the profit and loss, the tax effect of group contribution is posted directly against the investment in the balance.



Bergen Engines PropertyCo AS

Notes to the accounts for 2020

Amounts in NOK thousands

Note 2 - Share capital and shareholder information

Equity and share holder information:

	Number of shares	Face value	Book value
Ordinære aksjer	86 824	100	8 682

	Ordinary shares	Total	Ownership share	Voting rights
Bergen Engines AS	86 824	86 824	100 %	100 %

Note 3 - Owners equity

Amounts in NOK thousands

	Share capital	Share premium reserve	Other equity	Total
Owners equity 01.01.	8 682	12 338	387	21 407
Profit for the year	0	0	17 921	17 921
Group contribution	0	-1 035	-18 308	-19 344
Owners equity 31.12.	8 682	11 302	0	19 985

Note 4 - Tangible assets

Amounts in NOK thousands

	Land	Property and plant	Total
Acquisition cost 01.01.	754	131 656	132 410
Acquisition cost 31.12.	754	131 656	132 410
Acc.depreciation 31.12.	0	-123 488	-123 488
Net carrying amount at 31.12.	754	8 168	8 922
Depreciation for the year	0	2 964	2 964
Useful economic life		Up to 33 years Linear	



Bergen Engines PropertyCo AS

Notes to the accounts for 2020

Amounts in NOK thousands

Note 5 - Wage costs, number of employees, remuneration, loans to employees and auditor's fee

The total number of employees in the company during the year: 0

There are no employees in the company. No wages or remunerations have been paid to management or Board of Directors.

<i>Auditor fee has been divided as follows</i>	2020	2019
Statutory Audit fee	35	33

VAT is not included in the figures of auditor's fee.

Note 6 - Bank deposit

The company does not have restricted bank deposits.

Note 7 - Intercompany balance group company and associate

Amounts in NOK thousands

	Bergen Engines AS	
<i>Receivables</i>	2020	2019
Accounts receivables	7 760	5 519

Group contribution for 2020 of 24,8 MNOK has been offset against accounts receivables towards parent company.

Note 8 - Related parties

	2020	2019
Property rent from Bergen Engines AS	27 964	27 578



Bergen Engines PropertyCo AS

Notes to the accounts for 2020

Amounts in NOK thousands

Note 9 - Income taxes

Amounts in NOK thousands

<i>Income tax expenses</i>	2020	2019
Tax payable	5 456	5 350
Change in deferred tax	<u>-401</u>	<u>-389</u>
Total income tax expense	<u>5 055</u>	<u>4 961</u>

<i>Tax base estimation</i>	2020	2019
Ordinary result before tax	22 976	22 548
Change temporary differences	<u>1 823</u>	<u>1 770</u>
General income	24 799	24 318
Group contribution	<u>-24 799</u>	<u>-24 318</u>
Tax base	<u>0</u>	<u>0</u>

<i>Temporary differences outlined</i>	2020	2019
Fixed assets	<u>-10 743</u>	<u>-8 919</u>
	<u>-10 743</u>	<u>-8 919</u>

Deferred income tax asset 22%	-2 363	-1 962
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Bergen Engines PropertyCo AS

Notes to the accounts for 2020

Amounts in NOK thousands

Note 10 - Contingent liabilities

In January 2017, after full cooperation, the Rolls-Royce Holdings plc Group ('the Group') concluded deferred prosecution agreements (DPA) with the SFO and the US Department of Justice (DoJ) and a leniency agreement with the MPF, the Brazilian federal prosecutors. Following the expiry of its term the DPA with the DoJ was dismissed by the US District Court on 19 May 2020. Certain authorities are investigating members of the Group for matters relating to misconduct in relation to historical matters. The Group is responding appropriately. Action may be taken by further authorities against the Group or individuals. In addition, the Group could still be affected by actions from customers and customers' financiers. The Directors are not currently aware of any matters that are likely to lead to a material financial loss over and above the penalties imposed to date, but cannot anticipate all the possible actions that may be taken or their potential consequences.

During 2021 there has been no further developments or new information which is relevant to Bergen Propertyco AS.

Note 11 - Subsequent events

On 28 February 2020 the Rolls-Royce Group announced the decision to carry out a strategic review of the Bergen Engines group. On 1 February 2021, the Rolls-Royce Group signed an agreement for the sale of the Bergen Engines group to TMH Group for a cash consideration of approximately €150m (subject to closing adjustments). On 23 March 2021, the Norwegian government informed publicly that it had decided to prohibit the announced sale of the Bergen Engines group to TMH International.

The business is continuing operations as normal, and liquidity and funding is secured by RRPS.



Skattedirektoratet

Saksbehandler Rune Tystad	Deres dato 24.02.2012	Vår dato 12.03.2012
Telefon 977 59 464	Deres referanse Kirsten Kold Vinje	Vår referanse 2012/161133

KPMG AS
Postboks 7000 Majorstua
0306 OSLO

Dispensasjon fra kravet om utarbeidelse av årsregnskap og årsberetning på norsk språk for Bergen Engines AS med datterselskap

Det vises til deres brev av 24. februar 2012 og epost av 6. mars 2012 hvor søkes om dispensasjon fra kravet til å utarbeide årsregnskap og årsberetning på norsk språk for Bergen Engines AS, org.nr. 997 016 238 og datterselskapet Bergen Engines PropertyCo AS, org.nr. 996 540 820.

Skattedirektoratet gir på bakgrunn av en konkret helhetsvurdering Bergen Engines AS og Bergen Engines PropertyCo AS dispensasjon fra kravet til å utarbeide årsregnskap og årsberetning på norsk språk, jf. regnskapsloven § 3-4 tredje ledd.

Dispensasjonen forutsetter at engelsk språk benyttes ved utarbeidelsen av årsregnskapet og årsberetningen, og at øvrige opplysninger som vedtaket baserer seg på, heller ikke endres vesentlig.

Bakgrunn

Bergen Engines AS er eiet av Rolls-Royce plc, Registered office at 65 Buckingham Gate, London SW1E 6AT, UK. Konsernspråket i Bergen Engines AS er engelsk og det rapporteres på engelsk til morselskapet. Financial Director, som er engelskspråklig, er oppnevnt av morselskapet for ansettelse i selskapet og kommunikasjon skjer på engelsk. Tre av fire styremedlemmene i selskapet er engelskspråklige. Disse oppnevnes også av morselskapet. Bergen Engines AS er en del av et globalt konsern med mange utenlandske forretningsforbindelser, leverandører og kunder. Disse vil være relevante brukere av regnskapet og forutsettes også å foretrekke at offisielt regnskap er på engelsk. Eksterne brukere av regnskapet er selv internasjonale selskap. Bransjen er et internasjonalt miljø med hovedsakelig engelskspråklige forretningsforbindelser

Skattedirektoratets vurdering

Etter regnskapsloven § 3-4 tredje ledd skal *”årsregnskapet og årsberetningen ... være på norsk. Departementet kan ved ... enkeltvedtak bestemme at årsregnskapet og/eller årsberetningen kan være på et annet språk.”*

I Ot. prp. nr. 42 (1997-1998) Om lov om årsregnskap m.v., er det uttalt følgende om regnskapslovens formål, jf. pkt. 1.1:

”Regjeringen har som siktemål at regnskapsloven skal bidra til informative regnskaper for ulike grupper av regnskapsbrukere. Regnskapsbrukerne er dels investorer og kreditorer som tilfører kapital til foretakene, og dels andre grupper som har interesse av å vite

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hvordan foretaket drives, f.eks. de ansatte og lokalsamfunnet. Informasjonen til kapitalmarkedet skal gi grunnlag for riktig prising av finansielle objekter. Riktig prisdannelse på aksjer er en forutsetning for at ressursbruken i samfunnsøkonomien skal bli best mulig. Gode regnskaper vil også gjøre det vanskeligere for markedsdeltakere å ta ut spekulasjonsgevinster med basis i skjevt fordelt informasjon.”

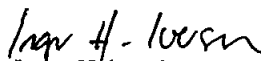
Det fremgår således at et av hovedformålene med regnskapsloven er å bidra til “*informative regnskaper for ulike grupper av regnskapsbrukere*”. Regnskapsbrukere vil omfatte, jf. uttalelsen i proposisjonen, blant andre investorer, kreditorer, ansatte og lokalsamfunnet.

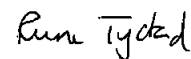
Det er etter Skattedirektoratets vurdering derfor avgjørende ved vurdering av om dispensasjon fra kravet til å utarbeide årsregnskap og/eller årsberetning på norsk, at det ikke foreligger mulige brukere av regnskapsinformasjon som blir vesentlig berørt negativt ved en eventuell dispensasjon.

Som nevnt ovenfor er det særlig hensynet til brukerne av regnskapsinformasjon som skal vurderes ved en dispensasjonssøknad. I denne vurderingen har Skattedirektoratet lagt vekt på at selskapets virksomhet er internasjonal og at arbeidsspråket er engelsk. Videre er det vektlagt at selskapet er eid av et utanlandsk selskap og at flertallet av selskapets styremedlemmer er engelskspråklige.

Vennligst oppgi vår referanse ved henvendelser i anledning saken.

Med hilsen


Inger Helene Iversen
seniorrådgiver
Rettsavdelingen, foretaksskatt
Skattedirektoratet


Rune Tystad