DECLARATION OF HONOR ON EXCLUSION CRITERIA

 **(DO NOT MODIFY THIS DOCUMENT)**

**This document MUST be signed and dated.**

**In the case of joint tenders, one declaration per economic operator must be attached.
If economic operators do not include this (these) declaration(s) or if the declaration(s) has(have) been modified, the Office reserves the right to reject the tender.**

**IMPORTANT NOTE: shall the economic operator being awarded the contract, as a single tenderer or as part of a tendering group, it will be requested to produce, before signature of the contract, an updated declaration which will have to be validated by a judicial or administrative authority, a notary or a qualified professional body.**

The undersigned [*insert name of the signatory of this form*], representing:

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| (*only for natural persons*) himself or herself | (*only for legal persons*) the following legal person:  |
| ID or passport number:  | Full official name:Official legal form: Statutory registration number: Full official address: VAT registration number:  |

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| 1. declares whether the above-mentioned economic operator is in one of the following situations or not:
 |
| **Exclusion situations concerning the economic operator** | YES | NO |
| 1. it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgement or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgement or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibity where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
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| (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract; | [ ]  | [ ]  |
| (ii) entering into agreement with other economic operators with the aim of distorting competition; | [ ]  | [ ]  |
| (iii) violating intellectual property rights; | [ ]  | [ ]  |
| (iv) attempting to influence the decision-making process of the contracting authority during the procurement procedure; | [ ]  | [ ]  |
| (v) attempting to obtain confidential information that may confer upon it undue advantages in the procurement procedure; | [ ]  | [ ]  |
| 1. it has been established by a final judgement that the economic operator is guilty of any of the following:
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| (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995; | [ ]  | [ ]  |
| (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the economic operator is established or the country of the performance of the contract; | [ ]  | [ ]  |
| (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; | [ ]  | [ ]  |
| iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2015/849 of the European Parliament and of the Council; | [ ]  | [ ]  |
| (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision; | [ ]  | [ ]  |
| (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council; | [ ]  | [ ]  |
| 1. the economic operator has shown significant deficiencies in complying with main obligations in the performance of a contract or an agreement financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgment or final administrative decision that the economic operator has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
 | [ ]  | [ ]  |
| 1. it has been established by a final judgment or final administrative decision that the economic operator has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;
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| 1. it has been established by a final judgment or final administrative decision that an entity has been created with the intent referred to in point (g).
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| 1. for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:
2. facts established in the context of audits or investigations carried out by the Court of Auditors, the European Anti-Fraud Office OLAF or the internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
3. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
4. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;
5. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or
6. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.
 | [ ]  | [ ]  |

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| 1. declares whether a person who is a member of the administrative, management or supervisory body of the above-mentioned economic operator, or who has powers of representation, decision or control with regard to that economic operator (this covers in particular the company directors, members of the management or supervisory bodies, and cases where one person holds a majority of shares) or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one of the following situations or not:
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| **Exclusion situations concerning natural persons with power of representation, decision-making or control over the economic operator** | YES | NO |
| Situation (c) above (grave professional misconduct) | [ ]  | [ ]  |
| Situation (d) above (fraud, corruption or other criminal offence) | [ ]  | [ ]  |
| Situation (e) above (significant deficiencies in performance of a contract ) | [ ]  | [ ]  |
| Situation (f) above (irregularity) | [ ]  | [ ]  |
| Situation (g) above (creation of an entity with the intent to circumvent legal obligations) | [ ]  | [ ]  |
| Situation (h) above (person created with the intent to circumvent legal obligations) | [ ]  | [ ]  |
| Situation (i) above | [ ]  | [ ]  |

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| 1. declares whether a natural or legal person that assumes unlimited liability for the debts of that economic operator is in one of the following situations or not:
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| **Exclusion situations concerning natural or legal persons assuming unlimited liability for the debts of the economic operator** | YES | NO | N/A (\*) |
| Situation (a) above (bankruptcy and related situations) | [ ]  | [ ]  | [ ]  |
| Situation (b) above (breach in payment of taxes or social security contributions) | [ ]  | [ ]  | [ ]  |

(\*) Not applicable

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| 1. declares whether the above-mentioned economic operator is in one of the following situations or not:
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| **Grounds for rejection from this procedure** | YES | NO |
| 1. Was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition, that cannot be remedied otherwise.
 | [ ]  | [ ]  |

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| 1. acknowledges that the above-mentioned economic operator may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.
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**Remedial measures**

If the economic operator declares one of the situations of exclusion listed above, it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. They may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which appropriately illustrates the remedial measures taken should be provided in annex to this declaration. This does not apply for the situations referred in point (d) of this declaration.

**Evidence upon request**

Upon request and within the time limit set by the contracting authority the economic operator shall provide information on the persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control with regard to it, as well as the following evidence concerning the economic operator or the natural or legal persons which assume unlimited liability for the debt of the economic operator:

For situations described in (a), (c), (d) or (f), (g) and (h), a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in its country of establishment showing that those requirements are satisfied.

For the situation described in point (b), production of recent certificates issued by the competent authority of the country of establishment. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country of establishment, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the economic operator already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the economic operator shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation

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| 1. *(if relevant)* declares that the following supporting documents are available electronically:
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| **Name of document** | **Link to the document/ Full reference to previous procedure** |
| *Insert as many lines as necessary.* |  |

Done at:

Full name Date Signature