

Declaration on honour relating to the exclusion criteria

(CALL FOR TENDERS NO 2010CE16BAT026)

The undersigned:

Name of the company/organisation:

Name of the signatory of this form (representative legally authorised to represent the tenderer *vis à vis* third parties and acting on behalf of the aforementioned company or organisation):

declares on his or her honour that the company or organisation that he or she represents:

- a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d) has fulfilled its obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established, or with those of the country of the contracting authority or those of the country where the contract is to be carried out;
- e) has not been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) has not been declared, following another procurement procedure or grant award procedure financed by the Community budget, to be in serious breach of contract for failure to comply with its contractual obligations.
- g) that on the date of submission of the tender, the company or organisation he or she represents does not have any conflict of interest in connection with this call for tenders (a conflict of interest possibly arising in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest) and that, in particular:¹
 - it does not include, among its staff (employees, trainees etc.) or its shareholders,
 - any former European officials, contract staff, temporary staff or auxiliary staff who have worked for the European Communities in the last three years;
 - any European officials on leave;

¹ Tick one of the two alternatives. In the case of the second alternative, please indicate the number of persons concerned for each category.

- any former agents on secondment within the European institutions having worked to the European Communities during three years preceding this call for tender;
 - any former trainees who have completed a placement at the EC during the year preceding this call for tenders.
- or it does include, among its staff or shareholders:
- ... former European officials, ... former contract staff, ... former temporary staff, ... former auxiliary staff who have worked for the European Communities in the last three years;
 - ... European officials on leave;
 - ... former agents on secondment within the European institutions having worked to the European Communities during three years preceding this call for tender;
 - ... former trainees who have completed a placement at the European Communities during the year preceding this call for tenders.

The Commission reserves the right to assess whether a conflict of interest exists. For that purpose, the tenderer is required to annex to this declaration a CV of the person(s) concerned.

it has not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;

it has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;

it will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest.

h) that it is not guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or has supplied this information.

By signing this form, the undersigned acknowledges that he or she has been acquainted with the administrative and financial penalties specified in Article 96 of the Financial Regulation² and Article 133 of the Implementing Rules,³ which may be applied if one of the situations described in points a) to h) above arises.

Full name

Date

Signature

² Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, OJEU L 248, 16 September 2002, p. 1, as amended by the Regulation (EC, EURATOM) No 1995/2006 of 13 December 2006, OJEU L 390, 30 December 2006, p. 1.

³ Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, OJEU L 248, 16 September 2002, p. 1, as amended *inter alia* by Commission Regulation (EC, EURATOM) No 1261/2005 of 20 July 2005, OJEU L 201, 2 August 2005; by the Commission Regulation (EC, EURATOM) N° 1248/2006 of 7 August 2006, OJEU L 227, 19 August 2006, p. 3) and by the Commission Regulation (EC, EURATOM) n° 478/2007 of 23 April 2007, OJEU L 111, 28 April 2007, p.13.