

**This declaration must be written on the official letterhead paper of the applicant organisation and have the original signature of the legal representative**

## **DECLARATION BY THE APPLICANT**

I, the undersigned, \_\_\_\_\_, authorised to represent the applicant, hereby request from the Commission a grant of EUR \_\_\_\_\_ with a view to implementing the action / work programme on the terms laid down in this application.

I certify that the information contained in this application is correct and that the applicant organisation has not received or applied for any other Community funding to carry out the action / work programme which is the subject of this grant application.

I declare on my honour that the applicant organisation has access to stable and adequate funding to maintain activities for the period of the project to help finance it as necessary.

I declare on my honour that the applicant organisation has the operational capacity and the operational resources (technical, management) to successfully complete the activity.

I certify on my honour that the applicant organisation is not in one of the situations which would exclude it from taking part in a Community grant programme and accordingly declare that the organisation:

- is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors or suspended business activities, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- has not been convicted of an offence concerning its professional conduct by a judgment which has the force of *res judicata*;
- is not guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- has met its obligations relating to the payment of social security contributions or taxes under the legislation of the country in which it is established;
- 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;
- is not currently subject to an administrative penalty for having been found guilty of serious misrepresentation in supplying the information required by the Authorizing Officer or for failing to supply such information, or for having been declared to be in serious breach of contract for failure to comply with its contractual obligations subsequent to another procurement procedure or grant award procedure financed by the Community budget;
- is not subject to any conflict of interest;
- is not guilty of misrepresentation in supplying any information required by the Authorizing Officer or of failing to supply this information.

I have been informed that, under Council Regulation (EC, Euratom) N° 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European

Communities<sup>1</sup>, applicants found guilty of false declarations may be subject to administrative and financial penalties in accordance with the conditions laid down in that Regulation.

The administrative penalties consist in being excluded from all contracts or grants financed from the Community budget for a maximum of two years from the date on which the infringement is established, as confirmed after an adversarial procedure with the applicant. This period may be extended to three years in the event of a repeat offence within five years of the first infringement. Applicants who are guilty of making false declarations will also receive financial penalties representing 2% to 10% of the value of the grant being awarded. This rate may be increased to 4% to 20% in the event of a repeat offence within five years of the first infringement.

Name / first name:

Title or position in the applicant organisation:

Signature and official stamp of applicant:

Date:

Processing your grant application will involve the recording and processing of personal data (such as names, addresses, CVs, etc.). Such data will be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>2</sup>. Unless indicated otherwise, your replies to the questions in this form and any personal data requested are required to evaluate your grant application and they will be processed solely for that purpose [and, if necessary, for other relevant purposes to be specified] by [entity acting as data controller]. You are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to [entity acting as data controller]. You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data.<sup>3</sup>

You are informed that for the purposes of safeguarding the financial interests of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of applicants which are in one of the situations referred to in Articles 93(1), 94 and 96(2)(a) of the Financial Regulation<sup>1</sup> may be included in a central exclusion database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said applicants. Any party entered into the database has the right to be informed of the data concerning it, upon request to the Accounting Officer of the Commission.

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<sup>1</sup> OJ L 248, 16.09.2002, p.1, as last amended by Council Regulation n°1525/2007 of 17 December 2007, OJ L 343, 27.12.2007, p.9

<sup>2</sup> Official Journal L 8, 12.1.2001.

<sup>3</sup> Clause to be used where the processing of personal data falls within the scope of Regulation (EC) No 45/2001. It applies to the processing of personal data wholly or partly by automatic means, and to the processing other than by automatic means of personal data which form part of a filing system or are intended to form part of a filing system, viz. any structured set of personal data which is accessible according to specific criteria. Any questions should be referred to your DG's data protection coordinator or the Commission's data protection officer (<http://www.cc.cec/dataprotectionofficer/>). You should add to this clause a reference to any other recipients. If the data controller decides that additional information is needed, information regarding the legal basis of the processing operation and time limits for storing data can be included.