

## DECLARATION CONCERNING GROUNDS FOR EXCLUSION AND ABSENCE OF CONFLICT OF INTEREST

I, the undersigned, \_\_\_\_\_ authorised to represent the Applicant, hereby request from the RCC a grant with a view to implement the action 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 which is the subject of this grant application.

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 grant programme and accordingly declare that the organisation:

### **Exclusion from participation in a grant procedure**

- 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 or suspended business activities, 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 its professional conduct by a judgment which has the force of *res judicata*;
- c) is not guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) 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;
- 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 Community's financial interests;
- f) has not 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.

### **Exclusion from the award of a grant**

- a) does not have any conflict of interest in connection with the contract; a conflict of interest may arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- b) will, if need be, inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;
- c) has not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- d) has not granted, sought, attempted to obtain or accepted and will not grant, seek, attempt to obtain, or accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal or corrupt practice, either directly or indirectly, as an incentive or reward relating to the award of the contract;
- e) is not guilty of misrepresentation when furnishing information required by the contracting authority in order to take part in a grant procedure, or of failing to furnish such information;
- f) has neither applied nor received funds in the form of grant for the same activities described within the current application (*no double funding* rule forbids funding the same expenditure more than once);
- g) is not subject to one of the criteria for exclusion from the grant procedure outlined in points a) to f) above.

I have been informed that applicants found guilty of false declarations may be subject to administrative and financial penalties in accordance with the conditions laid down in the relevant legislation.

The administrative penalties consist in being excluded from all contracts or grants financed by the RCC for a minimum 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.

**NOTE:** By returning this form duly signed, the undersigned accepts that, if awarded the contract, it will be necessary to provide at the RCC's request within the deadline stipulated in writing by the RCC and before the contract is signed, the following supporting documents confirming its declaration:

- ✓ For situations described in (a), (b) and (e), a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the Applicant is a legal person and the national legislation of the country in which it is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as directors or any person with powers of representation, decision making or control in relation to the Applicant.
- ✓ For the situation described in (c), any document (e.g. an appropriate statement or certificate issued by a judicial or administrative authority in the country of origin or provenance) showing that the contractor has not been found guilty of grave professional misconduct or declared in serious breach of its contractual obligations in relation to another procurement procedure or grant award procedure financed by international donors;
- ✓ For the situation described in (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the Applicant is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions;
- ✓ For any of the situations described in (a), (b), (d) or (e), where any document described in the two paragraphs above is not issued in the country concerned, it may be replaced by a statement on oath, or failing that, a solemn declaration made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance;
- ✓ For all Full Applications, whose activities involve infrastructure, the following additional documents may be required: Positive Decision on Environmental Impact Assessment OR a Statement from the relevant public authority that the EIA is not needed for the specific activities; proof of ownership or long-term lease (10 years) of the land /assets (if applicable); preliminary design OR detailed design including indicative bill of quantities in EUR; all necessary legal authorisations (e.g. location and construction permits, etc.).

Signed on behalf of the Applicant

<b>Name</b>	
<b>Signature</b>	
<b>Position</b>	
<b>Date</b>	