



ANNEX III

DECLARATION OF HONOUR ON EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

(Complete or delete the parts in grey italics in brackets)
[Choose options for parts in grey between square brackets]

The undersigned (*insert name of the signatory of this form*):

in [his][her] own name (*for a natural person*)

or

representing the following legal person: (*only if the economic operator is a legal person*)

full official name:

official legal form:

full official address:

VAT registration number if applicable:

- declares that [the above-mentioned legal person][he][she] is not in one of the following situations:
- (a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - (b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;
 - (c) has been guilty of grave professional misconduct proven by any means which the Commission can justify including by decisions of the European Investment Bank and international organisations;
 - (d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal

provisions of the country in which it is established and with those of other Member States;

- (e) has been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
- (f) is subject to an administrative penalty for being guilty of misrepresenting the information required by the Commission as a condition of participation in a grant award procedure or another procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts or grants covered by the Union's budget.
 - (Only for legal persons other than Member States and local authorities, otherwise delete) declares that the natural persons with power of representation, decision-making or control¹ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
 - declares that [the above-mentioned legal person][he][she]:
- (g) has no conflict of interest in connection with the call for expression of interest; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
- (h) will inform the Commission, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- (i) 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, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to being selected as the best performing marker;
- (j) provided accurate, sincere and complete information to the Commission within the context of this call for expression of interest;
 - acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties² if any of the declarations or information provided prove to be false.

If based on laboratory tests the submitted substance is appointed as the best performing marker, the following evidence shall be provided by the applicant upon request and within the time limit set by the Commission:

For situations described in (a), (b) and (e), production of 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

¹ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

² As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

showing that those requirements are satisfied. Where the applicant is a legal person and the national legislation of the country in which the applicant is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the applicant.

For the situation described in point (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 (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement 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.

If the applicant is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the Commission.

Full name

Date

Signature