*To be printed on applicant’s letterhead*

**DECLARATION BY THE APPLICANT**

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| I, the undersigned, **[name, first name], [function]** of **[*delete as appropriate:* business name [or] organisation’s name]**, authorised to represent the applicant, hereby request from the EIB financing with a view to implementing the action / work programme on the terms laid down in this application under the ELENA Facility.I declare that the information contained in this application is correct and that the applicant has **not received or applied for any other funding deriving from the EU** budget for the financing of the action / work programme which is the subject of this grant application.I declare on my honour that the applicant is not in one of the situations which would exclude it from receiving EU financing and explicitly **declare that the applicant is not under any of the following situations**:1. the applicant is bankrupt, is subject to insolvency, is being wound up, is having its affairs administered by a liquidator or by the courts, is in an arrangement with creditors, is having its business activities suspended, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
2. in the past five years, the applicant has been the subject of a final judgment or final administrative decision for being in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law and where such obligations remain unpaid unless a binding arrangement has been established for payment thereof;
3. in the past five years, the applicant or persons having powers of representation, decision making or control over it have been convicted of an offence concerning their professional conduct by a final judgment, which would affect its ability to implement an ELENA co- financed action and which is for one of the following reasons:
4. negligently providing misleading information that may have a material influence or fraudulently 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 or an agreement;
5. entering into agreements with other persons aimed at distorting competition;
6. attempting to unduly influence the decision-making process of the contracting authority during the award procedure;
7. attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
8. in the past five years, the applicant or persons having powers of representation, decision making or control over them have been the subject of a final judgment for:
9. fraud ;
10. corruption ;
11. participation in a criminal organisation ;
12. money laundering or terrorist financing ;
13. terrorist offences or offences linked to terrorist activities, or inciting, aiding, abetting or attempting to commit such offences ;
14. child labour and other forms of trafficking in human beings ;

I explicitly warrant and represent that the applicant is not subject to a decision on exclusion contained in the early detection and exclusion system database (EDES) set up and operated by the European Commission.***For applicants not qualifying as public law body or entity, otherwise consider as non-applicable***:I explicitly warrant and represent that the applicant, in the past five years, has not been subject to a final judgement or administrative decision by a national court or authority that the applicant was created with the intent to illegally circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.**Name of the applicant:** **Name / surname of legal representative:** **Title or position in the applicant’s organisation:** **Signature of the applicant’s legal representative:** **Date:**  |
| Your application for financing under the ELENA Facility will be processed electronically. All personal data submitted with your application (e.g. personal data included in CVs such as names, e-mail addresses, etc.) will be processed by the Bank in accordance with Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23rd of October 2018 on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies and agencies and on the free movement of such data for the sole purpose of evaluating the merits of your application for financing under the ELENA Facility. The declarations included in the present form and any other personal data required by EIB at application stage are necessary to assess the conformity of the latter with legal requirements set forth in the contribution agreement between the EIB and the EC on the ELENA Facility and other applicable EIB rules and policies. Information included in your declaration will be solely processed for purposes relevant to the evaluation of your application. Eventual recipients of the personal data included in documentation accompanying your application are: EIB’s department(s) responsible for the implementation of the ELENA Facility, the European Commission and the EU audit and controlling bodies including the European Court of Auditors, OLAF or EPPO. You have the right to access, rectify, erase or restrict processing of your data by addressing a relevant request to the controller at: elena@eib.org. Any person whose data are processed by the Bank may lodge a complaint with the European Data Protection Supervisor at any time. If you consider that maladministration has occurred with regards to the EIB activities under the ELENA Facility, you may launch a complaint following the procedure. announced in EIB website: <https://www.eib.org/en/about/governance-and-structure/control_and_evaluation/ombudsman.htm> |