



Call for expressions of interest - Scientific and Technical Support – Various profiles

EOI/EFSA/2022/01

Declaration of honour on exclusion criteria

The person expressing an interest may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

This declaration is an integral part of the application form and should be read in order to reply to the related exclusionary criteria questions.

I-SITUATION OF EXCLUSION CONCERNING THE PERSON		
(1) declares whether the above-mentioned person is in one or more of the following situations:	YES	NO
(a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;	YES	NO
(b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	YES	NO
(c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the legal commitment;	YES	NO
() entering into agreement with other persons or entities with the aim of distorting competition;	YES	NO



(iii) violating intellectual property rights;	YES	NO
() attempting to influence the decision-making process of the authorising officer responsible during the award procedure;	YES	NO
(iv) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	YES	NO
(d) it has been established by a final judgement that the person is guilty of any of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	YES	NO
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;	YES	NO
(iii) conduct related to a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;	YES	NO
(iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	YES	NO
(v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	YES	NO
(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	YES	NO
(e) the person has shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the budget which has:		
(i) led to the early termination of a legal commitment;	YES	NO
(ii) led to the application of liquidated damages or other contractual penalties; or	YES	NO
(v) been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;	YES	NO
(f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	YES	NO



(g) it has been established by a final judgment or final administrative decision that the person has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;	YES	NO
(h) it has been established by a final judgment or final administrative decision that an entity has been created with the intent referred to in point (g).	YES	NO

II – GROUNDS FOR REJECTION FROM THIS PROCEDURE

(2) declares whether the above-mentioned person:	YES	NO
Was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition, that cannot be remedied otherwise.	YES	NO

III – REMEDIAL MEASURES

If the person declares one of the situations of exclusion listed above, it must indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for the situations referred in point (d) of this declaration.

IV – EVIDENCE TO BE REQUESTED ONLY IN CASE OF CONTRACT AWARD

Upon request and within the time limit set by the contracting authority the person must also provide the following evidence concerning the person itself:

For situations described in (a), (c), (d) or (f), (g) and (h), a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in its country of establishment showing that those requirements are satisfied.

For the situation described in point (a) or (b), production of recent certificates issued by the competent authority of the country of establishment. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), and social security contributions. Where any document described above is not issued in the country of establishment, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.