**Declaration on honour**

The undersigned [*insert name of the signatory of this form*], representing:

|  |
| --- |
| the following legal person:  |
| Full official name:Official legal form: Statutory registration number**:** Full official address: VAT registration number:  |

hereby requests from Frontex a grant with a view to implementing the action under Call for Proposals 2018/CFP/TRU/01 ‘Development of products and tools for training related to selected topics within Integrated Border Management’ on the terms laid down in this application and:

|  |
| --- |
| 1. declares that s/he has been authorised to sign the present declaration and submit an application on behalf of all members of the consortium, as indicated in the grant application form;
 |
| 1. declares that the applicant (including any member of the consortium) is fully eligible in accordance with the criteria set out in the specific call for proposals;
 |
| 1. declares that the applicant (including any member of the consortium) has the financial and operational capacity to carry out the proposed action;
 |
| 1. declares that the applicant (including any member of the consortium) has not received any other Union funding to carry out the action subject of this grant application and commits to declare immediately to Frontex any funding it would receive for the action.
 |
| 1. declares that the applicant (including any member of the consortium) is **not** in one of the following situations:
 |
| 1. 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 national legislation or regulations;
 |
| 1. it has been established by a final judgement or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the authorising officer is located or those of the country of the performance of the contract;
 |
| 1. it has been established by a final judgement or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant 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 selection criteria or in the performance of a contract, a grant agreement or a grant decision;(ii) entering into agreement with other persons with the aim of distorting competition;(iii) violating intellectual property rights;(iv) attempting to influence the decision-making process of the Agency during the award procedure; (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure; |
| 1. it has been established by a final judgement that the applicant is guilty of any of the following:
 |
| (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995; |
| (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the authorising officer is located, the country in which the applicant is established or the country of the performance of the contract; |
| (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; |
| iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; |
| (v) terrorist-related 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; |
| (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council; |
| 1. it has shown significant deficiencies in complying with the main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;
 |
| 1. it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
 |
| 1. for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularities, it is subject to:
2. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
3. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
4. decisions of the ECB, the EIB, the European Investment Fund or international organisations;
5. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law.
6. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.
 |
| 1. declares that natural or legal persons that assume unlimited liability for the debts of the entities subject to this declaration are not in one of the following situations:
* situation a) above (bankruptcy);
* situation b) above (breach in payment of taxes or social security contributions)
 |
| If for applicant (including any consortium members) subject to this declaration it has been declared that it is in one of the situations of exclusion listed above, an annex to this declaration must indicate the measures the entity 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 annex must include relevant documentary evidence which illustrates the remedial measures taken. Remedial measures cannot be proposed for situations referred in point (d). |
| Upon request and within the time limit set by Frontex, the applicant (inducing any consortium members) subject to this declaration shall provide information and the applicable evidence on any person that is member of an administrative, management or supervisory body (persons with powers of representation, decision or control with regard to that entity) as well as the applicable evidence concerning the entity itself and / or concerning the natural or legal persons which assume unlimited liability for the debts of the entity.Evidence may be requested as follows:* For situations described in (a), (c), (d) or (f), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the entity showing that those requirements are satisfied.
* For the situation described in point (a) or (b), production of recent certificates 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 entity is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, 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.

If an entity has already submitted such evidence for the purpose of another procedure and provided that the submitted documents are still valid and that the time that has elapsed since the issuing date of the documents does not exceed one year, the entity shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.  |
| The applicant (including any member of the consortium) **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.** |
| If selected to be awarded a grant, the applicant accepts the general conditions as laid down in the published grant agreement. |
| Done at: Date: / / (day/month/year) Signature: Stamp of the applicant organisation[*insert Forename SURNAME of the person signing the present declaration], [insert Function]*  |