**DECLARATION OF HONOUR RELATING TO EXCLUSION CRITERIA, THE ABSENCE OF CONFLICT OF INTEREST AND THE AVAILABILITY OF THE CONTRACT HOLDER**

[Complete or delete the shaded parts in italics in brackets]

Contract reference: [XXXX]

Purpose of the contract: [XXXX]

Name of the individual expert (individual consultant) responsible for the mission: [XXXX]

The undersigned (*name of the signatory of the present form*):

* Acting in (*his/her)* own name *(in the event of a candidature of an individual expert)*

or

* Acting as a representative of the following legal person:

Full official name:

Official legal form:

Official address in full:

1. Declares that the individual expert [and that the abovementioned legal person] is not in a situation referred to in Articles 45 and 48 of Ordinance 2015-899 of 23 July 2015 and particularly in a situation meaning that they:
2. Are in a situation of or subject to proceedings for bankruptcy, liquidation, administration by court or an arrangement with creditors, the cessation of activity, or in any analogous situation resulting from a similar procedure provided for in national laws and regulations;
3. Have been found guilty by a judgement by a competent authority of a Member State having the authority of *res judicata* of any offence affecting their professional conduct;
4. Have committed grave professional misconduct proven by any means that the contracting authority is able to justify, including by a decision of the European Investment Bank or an international organisation;
5. Have not respected their obligations relating to the payment of social security contributions or their obligations relating to the payment of their taxes in accordance with the legal provisions of the country where they are established, or those of the country of the contracting authority, or those of the country where the contract is to be performed;[[1]](#footnote-1)
6. Have 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, when the said activity affects the financial interests of Expertise France or the French State;
7. Are the subject of an administrative sanction for being guilty of misrepresentation when providing the information demanded by the contracting authority for their participation in a procedure for the allocation of a grant or for the procurement of another contract, or have not provided this information, or of having been declared in serious breach of their obligations under contracts or grants financed by the budget of Expertise France or the French State.

* Declares that the natural persons with the power of representation, decision-making or control[[2]](#footnote-2) of the abovementioned legal entity are not in the situation referred to in points b) or e) above;

1. Declares that the individual expert [and that the abovementioned legal person]:

g) Is not in a situation of conflict of interest in relation to the contract. A conflict of interest may in particular result from economic interests, political or national affinities, family or sentimental attachments, or from any other type of relations or common interests;

h) Shall immediately inform the contracting authority of any situation constituting a conflict of interest or liable to lead to a conflict of interest;

i) Has not granted, sought, attempted to obtain or accepted, and undertakes not to grant, seek, attempt to obtain or accept, any advantage, whether financial or in kind, in favour of or from any person when this advantage constitutes an illegal practice or involves corruption, either directly or indirectly, in that it amounts to an incentive or reward relating to the award of the contract;

j) Has provided accurate, honest and complete information to the contracting authority in the context of the present procurement procedure.

* Is aware that they may be subject to legal, administrative and financial sanctions if it is determined that misrepresentations have been made or that false information has been provided.

In the event of a contract award, the following shall be provided upon request and within the time limit set by the contracting authority:

For the cases referred to in points a), b) and e), a recent extract from the judicial record is required or, otherwise, a recent equivalent document, issued by a judicial or administrative authority of the country of origin or provenance indicating that the relevant requirements are met.[[3]](#footnote-3)

With regard to the situations described in points a), b), d) and e), when a document referred to in the two paragraphs above is not issued in the country in question, it may be replaced by a declaration on oath or, otherwise, a formal statement made by the person concerned before a judicial or administrative authority, a notary or a qualified professional body from the country of origin or provenance.

If the tenderer is a legal person, information concerning the natural persons with the power of representation, decision-making or control[[4]](#footnote-4) of this legal person shall only be provided at the request of the contracting authority.

* Declares that they are aware of the provisions of the present statement and undertake to comply with them throughout the procedure for the procurement and performance of the contract given in the reference in which the candidate expert intervenes.

1. Hereby declares that the candidate individual expert is able to work during the period of implementation of the mission, as referred to in the specifications and exclusively for the purposes of the mission;
2. Hereby declares that the candidate individual expert is only submitting their candidature once in the context of this call for the submission of tenders.

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| --- | --- |
| Signature of the candidate Expert | |
| Name:  First name: | Date:  Signature: |
| Signature of a person empowered to commit the candidate legal person  *This box should be signed in the case of a candidature submitted by a legal person (*i.e*.: engineering or consulting firm, umbrella company). The proposed expert shall in any case sign this declaration.* | |
| Name:  First name: | Date:  Signature: |

1. Recent certificates or letters, issued by the competent authorities of the relevant country, are required. These documents must provide proof of the payment of all the taxes, duties and social security contributions which the tenderer is subject to, including VAT, income tax (for natural persons only), corporate tax (legal persons only) and social contributions. [↑](#footnote-ref-1)
2. *I.e.* company managers, members of management or supervisory bodies, and natural persons holding, as individuals, the majority of shares. [↑](#footnote-ref-2)
3. If the tenderer is a legal person and the national law of the country in which it is established does not provide for the provision of such supporting documents for legal persons, these documents are requested for natural persons, such as company managers or any person with the power of representation, decision-making or control of the tenderer. [↑](#footnote-ref-3)
4. I.e. company managers, members of management or supervisory bodies, and physical persons holding, as individuals, the majority of shares. [↑](#footnote-ref-4)