**Declaration on honour for grants and procurement contracts equal to or above EUR 10,000**

***This declaration on honour is applicable to all grants and procurement contracts (i.e. supply, services, works) of the Austrian Development Agency equal to or above the threshold of EUR 10,000.***

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

|  |  |
| --- | --- |
| (*only for natural persons*) himself or herself: | (*only for legal persons*) the following legal person:  |
| ID or passport number: (‘the person’) | Full official name:Official legal form: Statutory registration number**:** Full official address: VAT registration number: (‘the entity’) |

The person or entity is not required to submit this declaration if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority, provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year. In this case, the signatory declares that the person has already provided the same declaration for a previous procedure and confirms that there has been no change in its situation:

|  |  |
| --- | --- |
| **Date of the declaration** | **Full reference to previous procedure** |
|  |  |

**For procucement contracts only:**

|  |  |  |
| --- | --- | --- |
| The above-mentioned person or entity declares that he/it meets the required eligibility criteria in respect of legal authority, technical capacity as well as financial and economic capacity; in particular, he/it declares to comply with the following criteria: |  |  |
| * he/it has the legal and regulatory capacity to pursue the professional activity needed for performing the contract;
 | YES[ ]  | NO[ ]  |
| * he/it fulfills the applicable economic and financial criteria indicated in the contract notice/Terms of Reference;
 | YES[ ]  | NO[ ]  |
| * he/it fulfills the applicable technical and professional criteria indicated in the contract notice/Terms of Reference.
 | YES[ ]  | NO[ ]  |

|  |
| --- |
| The above-mentioned person or entity is legally authorized (by commercial license) to carry out the following business(es) / service(s): |
| The above-mentioned person or entity declares that no grounds of exclusion pursuant to Section 78 Bundesvergabegesetz 2018[[1]](#footnote-1) are present, neither with regard to him/it, nor with regard to any physical person who is a member of its management, decision-making or supervisory body or who exercises power of representation, decision-making or control within that body or with regard to any subcontractor or other third party.  | YES[ ]  | NO[ ]  |
|  |  |  |
| **For grants and procurement contracts:** |  |  |
| The above-mentioned person or entity declares that none of the exclusion situations provided for in Article 136 of the [EU Financial Regulation](https://op.europa.eu/en/publication-detail/-/publication/e9488da5-d66f-11e8-9424-01aa75ed71a1/language-en/format-PDF/source-86606884) (2018)[[2]](#footnote-2)1 apply. | YES[ ]  | NO[ ]  |
| The above-mentioned person or entity declares that he/it will supply, upon request and without delay, any additional information and specified proof for the assessment of exclusion situations (and/or eligibility criteria in case of procurement contracts). | YES[ ]  | NO[ ]  |

If the person or entity declares one of the situations of exclusion or non-fulfilment of the eligibility criteria, it must indicate measures it has taken to remedy the 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 or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration.

***The above-mentioned person or entity must immediately inform the contracting authority of any changes in the situations as declared.***

***The above-mentioned person may be subject to rejection from this procedure and to administrative or criminal sanctions if any of the declarations or information provided as a condition for participating in this procedure prove to be false.***

Full name Date Signature

1. Bundesgesetz über die Vergabe von Aufträgen (Bundesvergabegesetz 2018 – BVergG 2018), BGBl. I Nr. 65/2018. [↑](#footnote-ref-1)
2. 1 Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union. [↑](#footnote-ref-2)