**Annex A – Declaration on honor**

**r relating to the situation, etc., of the business.**

1. **General points**

Pursuant to Consolidated Act (LBK) No. 336 of 13 May 1997 on Restricting Debtors’ Options for Participating in Public Procurement Procedures, etc., for the procurement of goods and services, a contracting authority must require that any tenderer submit a declaration on honour (solemn declaration) of the extent to which they have “unpaid, overdue debt to public authorities in the form of taxes, duties and social security contributions pursuant to Danish legislation or the legislation of the country in which the tenderer has set up business”. See Section 2 below.

Pursuant to Executive Order No. 712 of 15 June 2011 on the Procedures for entering into Public Supply Contracts, Public Services Contracts and Public Works Contracts, in the contract documents, the contracting authority has elected to require a declaration on honour from candidates or tenderers to the effect that they have not received any criminal convictions. In addition, where considered relevant in a specific case, a contracting authority is entitled to require documentation from a tenderer with which the contracting authority intends to enter into a contract to the effect that the circumstances outlined in Section 3 below do not exist. **If** the contracting authority so requests, the documentation may take the form of a Danish “serviceattest” (a form containing all information and declarations required from public authorities for a public procurement procedure) or other equivalent relevant documentation. See Section 3 below.

The above factors are included in the evaluation of whether, in a given case, the business ought to be or is to be excluded from participating in the contract award procedure.

In the event that the Tenderer relies on other entities, the supporting company must complete a separate declaration on honor, so that both the Tenderer and the supporting company submit a completed declaration each.

1. Information relating to any unpaid, overdue debt to public authorities (check the box)

In accordance with the aforementioned, I, the undersigned, hereby make the following declaration on my honour:

|  |  |
| --- | --- |
| **Name of business:** |  |
| **Company registration no.:** |  |

|  |  |  |
| --- | --- | --- |
|  |  |  |
| **A** | The business has no unpaid, overdue debt owing to the public authorities. | [check the box] |
| **B** | The business has unpaid, overdue debt owing to the public authorities, but this debt does not exceed DKK 100,000 (or equivalent amount in other currency). | [check the box] |
| **C** | The business has unpaid, overdue debt owing to the public authorities, and this debt exceeds DKK 100,000 (or equivalent amount in other currency). | [check the box] |
|  | | |
| **Only complete Sections D, E and F if you have checked Section C** | | |
|  | | |
| **D** | A guarantee has been provided to the debt collection agency for payment of that part of the debt which exceeds DKK 100,000 (or equivalent amount in other currency) | [check the box] |
| **E** | A guarantee will be provided to the debt collection agency for payment of that part of the debt which exceeds DKK 100,000 (or equivalent amount in other currency) | [check the box] |

|  |  |  |  |
| --- | --- | --- | --- |
| **Debt collection agency** | | | |
|  | | | |
| Name: | |  | |
| Address: | |  | |
|  | | | |
| **F** | A repayment scheme has been agreed with the debt collection agency in relation to unpaid, overdue debt, and the terms of this scheme are being complied with. | | [check the box] |
|  | | | |
| **Debt collection agency** | | | |
|  | | | |
| Name: | |  | |
| Address: | |  | |

1. **Situation of the business**

A business is excluded from participating in the contract award procedure if any of the following situations exist (if the answer YES is given):

|  |  |  |
| --- | --- | --- |
|  | **[check the box]** | |
| **a)** | Has a final sentence been passed on the business relating to participation in a criminal organisation, bribery, fraud or money laundering? | YES  NO |
| **b)** | Is the estate of the business subject to a bankruptcy order, liquidation, administration or an arrangement with creditors, has the business suspended trading or is it in a similar situation in relation to corresponding procedures laid down in national legislation? | YES  NO |
| **c)** | Has application been made in respect of the the estate of the business that bankruptcy proceedings, liquidation proceedings, administration, an arrangement with creditors or any corresponding proceedings as laid down in national legislation be initiated? | YES  NO |
| **d)** | Has the business been convicted of a criminal offence by final sentence pursuant to the legislation of the country, where the offence in question raises doubts as to the professional integrity of the business in question? | YES  NO |
| **e)** | In connection with the exercise of its professional activity, has the business committed a serious mistake which has been proven beyond doubt by the contracting authorities? | YES  NO |
| **f)** | Has the business failed to fulfil its obligations in respect of payment of contributions to social security schemes under the legislation of the country where the business in question is domiciled, or in the country of the contracting authority?  NB! If “YES” is entered under this heading, this indicates that the company has not fulfilled its obligations, etc. | YES  NO |
| **g)** | Has the business failed to fulfil its obligations in respect of payment of taxes and duties under the legislation of the country where the business in question is domiciled, or in the country of the contracting authority?  NB! If “YES” is entered under this heading, this indicates that the company has not fulfilled its obligations, etc. | YES  NO |
| **h)** | Has the business fraudulently provided incorrect information in connection with notification of information as regards the aforementioned grounds for exclusion? | YES  NO |

1. **Signature**

This declaration is made by the person indicated below, who, in signing this document:

1. confirms that they have the relevant powers and authority to issue the declaration

2. confirms on their honour that the information stated in the declaration is correct

3. gives their consent to the contracting authority performing a check with the relevant authorities on the information contained in the declaration

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**