

ANNEX 4 - DECLARATION ON EXCLUSION

To be completed by the tenderer, all members of a consortium or a joint tender

The undersigned _____ representing:

insert name of the signatory of this form

<i>(only for natural persons)</i> himself or herself (hereafter “the person”)	<i>(only for legal persons)</i> the following legal person (hereafter “the person”) :
ID or passport number:	Full official name:
	Official legal form:
	Statutory registration number/business registration number (CVR):
	Full official address:
	VAT registration number:

declares the following:

A. EXCLUSION

- Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a conviction by final judgment for participation in a criminal organization as defined in Article 2 of the Council of the European Union Framework Decision 2008/841/JHA, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable

Please state:

Yes _____

No _____

Date of conviction _____

- Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a conviction by final judgment for corruption, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable?

Corruption covers the definition 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 of the European Union Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract.

Please state:

Yes_____

No_____

Date of conviction_____

3. Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a conviction by final judgment for 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, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable?

Please state:

Yes_____

No_____

Date of conviction_____

4. Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable?

For the definition, see articles 1 and 3 of the Council of the European Union Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

Please state:

Yes_____

No_____

Date of conviction_____

5. Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a

conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable?

For the definition, see article 1 of Directive 2005/60/EC of the European Parliament and of the Council of the European Union of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

Please state:

Yes_____

No_____

Date of conviction_____

6. Has the person itself or any natural person, who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein, been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most four years ago or in which an exclusion period set out directly in the conviction continues to be applicable?

For definition see article 2 of Directive 2011/36/EU of the European Parliament and of the Council of the European Union of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

Please state:

Yes_____

No_____

Date of conviction_____

7. The person has unpaid, outstanding debt to public authorities in connection with taxes or social security contributions in the country in which the person was established of or exceeding DKK 100,000 at the time of submitting the tender

Please state:

Yes_____

No_____

8. Has the person, to its knowledge, failed to meet applicable obligations within the fields of environmental, social and labour law established by European Union law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X of Directive 2014/24/EU.

Please state:

Yes_____

No_____

9. It has been established by a final judgement or a final administrative decision, that the person is guilty of grave professional misconduct, within the last two years, 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 selection criteria or in the performance of a contract;

Please state:

Yes_____

No_____

Date of final judgment or decision_____

- ii) entering into agreement with other persons with the aim of distorting competition;

Please state:

Yes_____

No_____

Date of final judgment or decision_____

- iii) violating intellectual property rights;

Please state:

Yes_____

No_____

Date of final judgment or decision_____

- iv) attempting to influence the decision-making process of the contracting authority during the award procedure

Please state:

Yes_____

No_____

Date of final judgment or decision_____

10. The person 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?

Please state:

Yes_____

No_____

11. It has been established by a final judgement or a final administrative decision that the person, within the last two years, 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 contracting authority is located or those of the country of the performance of the contract?

Please state:

Yes_____

No_____

Remedial measures

If the person declares one of the situations of exclusion listed above, it must indicate 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.

Date

Signature