Declaration by the Applicant

*(to be printed on an official headed paper of the Applicant organisation)*

I the undersigned, as legal representative of “Official name of the organisation” applying for funding from the ENI CBC Mediterranean Sea Basin Programme as Applicant of the project “Title and acronym of the project”, hereby declare that the organisation I represent:

1. has the legal status of

* Ministry or other national public administration
* Regional or local public administration
* Other public body (please specify)
* Body governed by public law in the meaning of art 2.4 of Directive 2014/24/EU of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (please specify)
* International organisation[[1]](#footnote-1)
* NGO
* Company or other private economic operator (please specify)
* No profit organisation (Association, Foundation or other) (please specify)
* Other (please specify) .......................................................................................................

1. is not acting as an intermediary and it is directly responsible for the preparation of the project proposal, which has been drafted together with the project partners, and its submission to the Managing Authority on behalf of the partnership;
2. has read the Joint Operational Programme, the Guidelines for Grant Applicants, the Grant Contract and the other documents published for this call - and understood what its obligations under the contract will be if the grant is awarded;
3. is committed to take part in the project activities and funding and is aware that the project should be drafted and carried out in accordance with the provisions of the Guidelines for Grant Applicants and the Grant Contract, also taking into account the ENI CBC Mediterranean Sea Basin Joint Operational Programme and the relevant national legislations and Community regulations, in particular:

• Regulation (EC) No 236/2014 – ENI Regulation;

• Regulation (EC) No 897/2014 – ENI CBC Implementing Rules.

1. has the sources of financing and professional competence and qualifications specified in Section 4 of the Guidelines for Grant Applicants - call for capitalisation projects;
2. undertakes to comply with the obligations foreseen in the Partnership Agreement and with the principles of good partnership practice;
3. ensures that each partner is fully aware of the composition of the partnership, the distribution of tasks and of the content of the Application Form;
4. is aware of the participation criteria set out under Section 4 of the Guidelines for Applicants and is not in any of the situations excluding it from participating in calls for proposals which are listed in section 4.7 of the Guidelines for Applicants (points “a” to “l”).
5. ensures that no conflict of interest situation exists which may adversely affect the impartial and objective exercise of the functions of any person involved in the preparation and submission of the project proposal and / or in the selection process, for reasons involving family, emotional life, political or national affinity, institutional role, economic or professional interest or any other shared interest with another person;
6. commits itself to promptly inform the MA on potential situations of conflict of interest that may arise during the whole selection process;
7. is aware of the limitations set by Section 4.4.1 of the Guidelines for Applicants in terms of maximum number of project proposals which can be submitted for this call;
8. has submitted or is about to submit the following applications under this call for proposals:

<*please list other projects likely to be submitted under this call where your organisation is Applicant or partner*>;

1. has submitted in the last 12 months or is about to submit the following applications to the European institutions, the European Development Fund and to other EU or national programmes:

<*please list only projects in the same field as this proposal>;*

1. has not received, is not receiving or will not receive either in whole or in part, any other Community funding for any of the activities scheduled in the Application Form and will inform without delay the Managing Authority, if the same application for funding made to other European Commission departments or Community institutions has been approved after the submission of this Application Form;
2. if pre-selected, commits itself to deliver immediately, upon request, the supporting documents stipulated under section 5.4.2 of the Guidelines for Applicants, including the signed Partnership Agreement;
3. if recommended to be awarded the grant, it will follow the recommendations made by the Joint Monitoring Committee, as the case may be, in order to sign within the deadline set by the MA the Grant Contract;
4. has the professional and administrative capacity necessary for carrying out the proposed project, in particular it has adequate internal human resources and it ensures to dedicate an internal or ad hoc recruited project coordinator and a financial and communication project manager as the case maybe (according to section 2.5.1 of the Guidelines for Applicants). Moreover it ensures the availability of the appropriate infrastructures to guarantee a sound project management including also the financial and communication aspects, the coordination of the partnership, as well as the timely performance of all project activities including reporting, monitoring and evaluation arrangements etc;
5. has the necessary financial capacity to implement the proposed project as well as stable and sufficient sources of funding to maintain their activity throughout the period during which the proposed project will be carried out including the possibility to advance resources and to fully guarantee the compliance with the Financial Plan submitted with the project proposal;
6. the financial information provided in the “Financial capacity Evaluation form”, uploaded in the section “Documents” of the e-form, are true and correspond to the annual accounts (balance sheets, profit and loss accounts and/or financial statements), to be provided as supporting document if pre-selected;
7. the financial information provided in the “Administrative costs calculation”, uploaded in the section “Documents” of the e-form, are true and correspond to the information reported in annual accounts (balance sheets, profit and loss accounts and/or financial statements), to be provided as supporting document if pre-selected;
8. accepts to submit, if foreseen by the Guidelines for Applicants and if requested by the MA, a financial guarantee to cover the pre-financing instalments to be received as Lead Beneficiary;
9. is aware that, all personal data (such as names, addresses, contact details, financial references, etc.) mentioned in the Application Form and in any other relevant document submitted under this call for proposals will be collected and processed by the Managing Authority in compliance with the terms and conditions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR - General Data Protection Regulation) and will be used solely for purposes related to this procedure, according to the Informative note on personal data published with the call for proposals;
10. in case of approval of the project proposal by the Joint Monitoring Committee, will take the role of the Lead Beneficiary with all the responsibilities assigned to it, such as:
11. signing the Grant Contract with the MA representing the partnership and fulfilling all obligations as laid down in the Contract itself;
12. ensuring the management and the implementation of the entire project;
13. laying down the arrangements for its relations with all the partners in a Partnership Agreement comprising, inter alia, provisions guaranteeing the sound financial management of the resources allocated to the project, including arrangements for recovering amounts unduly paid;
14. ensuring that the expenditure presented by the project partners has been incurred for the implementation of the project and correspond to the activities agreed within the partnership;
15. verifying that the expenditure presented by the project partners has been validated by external auditors according to the provisions of the Grant Contract on Expenditure Verification;
16. ensuring that the tasks of the partners involved in the project are fulfilled in compliance with the Grant Contract and the Partnership Agreement;
17. transferring, according to the commitments taken by the partnership on the basis of the Partnership Agreement, the Programme funds to the partners involved in the project and ensuring proper communication with and among the partners as well as notifying promptly the MA about the transfers to partners;
18. being responsible for the entire recovery of unused funds or ineligible expenses to be reimbursed; in case of impossibility to recover funds, articles 74 and 75 of the ENI Implementing Rule (EC Reg. 897/2014) will apply;

co-financing the project as indicated in the Budget for the project, according to the commitments taken by the partnership on the basis of the Partnership Agreement;

1. ensuring access to the project accounting system and related supporting documents and providing proof of delivery of all project activities to the MA, CCPs, AA, EC, OLAF, Court of Auditors and any authorised auditor by any of these bodies during the period indicated in the Grant Contract;
2. ensuring the timely submission of the reports, according to the deadlines fixed in the Grant Contract and to specific provisions set in the manuals provided by the MA.
3. keeping all documents related to the project in accordance with the provisions set by the Grant Contract (five years from the date in which the Programme final balance has been paid by European Commission to the MA);
4. processing and storing personal data concerning projects partners in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR - General Data Protection Regulation).

I certify that all the information provided in the Application Form and in this declaration is true and correct. I acknowledge that untruthful/false declarations can be prosecuted by the penal code.

Signed on behalf of the Applicant

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*Signature Date and place*

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*Name and position of the legal representative of the organisation[[2]](#footnote-2)*

*(Official stamp of the organisation)*

1. Please note that International Organisations also need to fill in a specific declaration (“Declaration for International Organisations”) in addition to this one. [↑](#footnote-ref-1)
2. If necessary, please provide copy of a document attesting the power of signature or delegation. [↑](#footnote-ref-2)