



CALL FOR CHALLENGERS

ANNEX 3: DECLARATION OF HONOUR

DOCUMENT REVISION HISTORY

| Version | Date | Description of change |
|---------|------------|-----------------------|
| V1 | 31/01/2023 | FIRST VERSION |

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1 DECLARATION OF HONOUR

1.1 ORGANISATION LEGAL REPRESENTATIVE INFORMATION

_____ (organisation name) established in
 _____, (official address), organisation VAT
 number _____ represented for the purposes of
 signing and submitting this Declaration of Honour by
 _____ (name of legal representative).

1.2 TYPE OF ORGANISATION

Select the type that applies

| | | |
|---|--|--|
| Private organisation | Understood as organisations that are privately owned and constituted either for profit or non-profit purposes, not operated by a public body. | |
| Public organisation¹ <i>(If public, please select type of public organisation)</i> | <ul style="list-style-type: none"> ● the State, regional or local authority | |
| | <ul style="list-style-type: none"> ● bodies governed by public law² | |
| | <ul style="list-style-type: none"> ● associations formed by one or more such authorities or one or more such bodies governed by public law. | |

¹ A public organisation as defined in the InnoBuyer Guidelines for Applicants, according to Article 2 of Directive 2014/24 EC.

² **What does 'bodies governed by public law' mean?**

Bodies that have **ALL** of the following:

(1) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character; **and**

(2) they have legal personality, **and**

(3) Either they are :

(a) financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; **or**

(b) subject to management supervision by those authorities or bodies; **or**

(c) have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

If your organisation is a body governed by public law, please confirm (by ticking the following boxes), that:

| | | |
|---|---|--|
| It is established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character; and | | |
| It has legal personality; and | | |
| Select at least one of the following: | is financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; or | |
| | is subject to management supervision by those authorities or bodies; or | |
| | has an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law. | |

By signing this declaration of honour, I declare that all provided information below is true and legally binding both for me and for the organisation that I legally represent:

1. I declare that the mentioned organisation is not in one of the following situations:
 - a. it is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b. it or persons having powers of representation, decision making or control over it have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
 - c. it has been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the European Investment Bank and international organisations;
 - d. it is not in compliance with its obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed, to be proved by the deliverance of official documents issued by the local authorities, according to the local applicable rules;
 - e. it or persons having powers of representation, decision making or control over it have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;

- f. is subject to an administrative penalty for being guilty of misrepresenting the information required by the contracting authority as a condition of participation in a grant award procedure or another procurement procedure or failing to supply this information or having been declared to be in serious breach of its obligations under contracts or grants covered by the Union's budget.
- 2. I declare that the natural persons with power of representation, decision-making or control over the organisation mentioned above entity are not in the situations referred to in a) to f) above;
- 3. I declare that:
 - a. Neither myself nor any person that I know is subject to a conflict of interest;
 - b. I have not made false declarations in supplying the information required by participation in the InnoBuyer Open Call for Challengers or have failed to supply the needed information;
 - c. I am not in one of the situations of exclusion, referred to in the above-mentioned points a) to f).
 - d. I am aware of and fully accept all InnoBuyer conditions and rules as expressed in the Guidelines for Applicants.
- 4. I certify that the organisation that I represent:
 - a. is committed to participating in the InnoBuyer programme.
 - b. has stable and sufficient sources of funding to maintain its activity throughout its participation in the InnoBuyer programme and to provide any counterpart funding necessary;
 - c. has or will have the necessary resources as and when needed to carry out its involvement in the InnoBuyer programme.
- 5. I declare that the unmet need presented in my application for the InnoBuyer Open Call for Challengers is not being funded by any other source from the budget of the European Union and it will not be used to apply for other EU grants.
- 6. I confirm that neither the personnel proposing the challenge nor my organisation have been working on a potential solution and applied for InnoBuyer to continue funding it and that there will not be any apparent conflict that could prevent the Solver to claim full ownership of the solution's intellectual property rights.

| | |
|-------------------------------------|--|
| Organisation name | |
| Full address of the entity | |
| Country | |
| Name of legal representative | |
| Position in the organisation | |

I have the power of legally binding the above-mentioned entity on submitting this proposal.

Signature and stamp
(if applicable)

Done at (place) _____

The (day) _____ (month) _____ (year) _____