



Self-declaration

**GOETHE
INSTITUT**

Sprache. Kultur. Deutschland.

Self-declaration on exclusion criteria and avoidance of conflicts of interest for the awarding of a grant by the Goethe-Institut

The undersigned [**name of undersigned**] hereby declares

(natural persons only) in their own name	(legal entities only) in representation of the following legal entity:
Name, first name:	Name in full:
House number, street:	Legal form:
Town/city, postcode:	Official register entry:
ID or passport number:	Address in full:
	VAT registration number:
(subsequently " person/entity ")	(subsequently " person/entity ")

OPTION I: DECLARATION ALREADY IN PLACE

The person/entity is not required to present the declaration on exclusion criteria if this declaration has already been submitted to the Goethe-Institut for the purposes of an earlier awarding procedure, provided that the situation has not changed and the declaration was issued **no longer than one year ago**.

In this event the undersigned declares that the person/entity has already submitted the same declaration on exclusion criteria within the scope of an earlier awarding procedure, and confirms that their situation has not changed since then:

Date of declaration	Full details of earlier awarding procedure

OPTION II: SELF-DECLARATION TO BE COMPLETED BY THE UNDERSIGNED

I - Exclusion situations relating to the person/entity

Please tick where appropriate!

The undersigned declares that one of the situations below applies to the above person/entity	YES	NO
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a) They are bankrupt or currently the subject of insolvency proceedings or in liquidation, their assets are being administered by a liquidator or court, they are in settlement proceedings, their business activities have been suspended, or they are in a similar situation arising from a similar procedure provided for in EU or national legislation or regulations;	<input type="checkbox"/>	<input type="checkbox"/>
b) it has been established through a legal judgement in court or a final administrative decision that the person/entity has not fulfilled their obligations relating to the payment of taxes or social security contributions in accordance with applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established through a legal judgement in court or a final administrative decision that the person/entity is guilty of grave misconduct within the scope of their professional activities as a result of a breach of applicable laws, provisions or ethical standards of their profession , or as a result of any form of criminal activity compromising their professional integrity that arises through intent or gross negligence; in particular including conduct of the following nature:	<input type="checkbox"/>	<input type="checkbox"/>
i. agreements with other persons/entities with the objective of distorting of competition;	<input type="checkbox"/>	<input type="checkbox"/>
ii. breach of intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
iii. attempting to influence the decision of the Goethe-Institut during the awarding procedure;	<input type="checkbox"/>	<input type="checkbox"/>
iv. attempting to obtain confidential information about the procedure through which illegal advantages could be gained in the awarding procedure;	<input type="checkbox"/>	<input type="checkbox"/>
v. it has been established through a legal judgement in court that the person/entity is guilty of the following offences :		
i. fraud as referred to in Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the Protection of the European Communities' Financial Interests drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
ii. corruption as referred to in Article 4 Para. 2 of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States drawn up by the Council Act of 26 May 1997, activities in terms of Article 2 Para. 1 of the framework decision 2003/568/JI of the Council, and corruption as referred to in applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
iii. activities associated with a criminal organisation as referred to in Article 2 of the framework decision 2008/841/JI of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
iv. money laundering or financing of terrorism in terms of Article 1 Paras. 3, 4 and 5 of Directive (EU) 2015/849 of the European Parliament and the Council;	<input type="checkbox"/>	<input type="checkbox"/>
v. terrorist offences or offences linked to terrorist activities in terms of Article 1 and Article 3 of the framework decision 2002/475/JI of the Council, or incitement, complicity or attempt in terms of Article 4 of the same decision.;	<input type="checkbox"/>	<input type="checkbox"/>

vi.	child labour or other offences linked with human trafficking as referred to in Article 2 of the Directive 2011/36/EU of the European Parliament and the Council;	<input type="checkbox"/>	<input type="checkbox"/>
vi.	they have demonstrated considerable deficiencies in fulfilment of the main requirements during the performance of a contract or agreement financed by the Union budget, resulting in premature termination of the contract, imposition of a flat-rate compensation payment or other forms of contractual penalty, or which were discovered through inspections, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	<input type="checkbox"/>	<input type="checkbox"/>
vii.	it has been established through a legal judgement in court or a final administrative decision that the person/entity has committed an irregularity in terms of Article 1 Para. 2 of Council Regulation (EC, Euratom) No. 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
viii.	it has been established through a legal judgement in court or a final administrative decision that the person/entity has set up an office in another sovereign territory with the intention of circumventing tax, social and legal obligations at their statutory registered office, their administrative headquarters or their main branch;	<input type="checkbox"/>	<input type="checkbox"/>
ix.	<i>(legal entities only)</i> it has been established through a legal judgement in court or a final administrative decision that the person/entity has been created with the intent provided for in point (g).	<input type="checkbox"/>	<input type="checkbox"/>
x.	that the person/entity in the situations described in points c to h is subject to: <ul style="list-style-type: none"> • facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office (after its establishment), the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; • non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of • professional ethics; • facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks; • information transmitted by Member States implementing Union funds; • decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law or • decisions of exclusion by an authorising officer of a body, institution or other entity of the EU. 	<input type="checkbox"/>	<input type="checkbox"/>
xi.	that the person/entity has already received funding from the Goethe-Institut for the same project or in the same fiscal year, and is therefore in breach of the double funding and non-cumulative policy as referred to in Article 191 EU (Regulation) 2018/1046.	<input type="checkbox"/>	<input type="checkbox"/>

xii.	that the person/entity works for the Goethe-Institut or has family members, who are involved in the selection process	<input type="checkbox"/>	<input type="checkbox"/>
xiii.	that the application was prepared without involvement of persons who are part of the selection process	<input type="checkbox"/>	<input type="checkbox"/>
xiv.	that in all conscience no other actual, potential or alleged conflict of interest exists	<input type="checkbox"/>	<input type="checkbox"/>

II – Situations of exclusion concerning natural persons or legal entities with power of representation, decision-making or control over the legal entity and beneficial owners

This section is not applicable to natural persons, Member States and local authorities

Please tick where appropriate!

The undersigned declares that a natural person or legal entity who is a member of the administrative, management or supervisory body of the abovementioned legal entity or who has powers of representation, decision or control with regard to the above-mentioned legal entity (this includes company directors, members of management or supervisory bodies, and cases where one natural person holds a majority of shares), or a beneficial owner of the person/entity (as referred to in point 6 of Article 3 of Directive (EU) No 2015/849) is in one of the following situations:	YES	NO	N/A
Situation (c) above (grave professional misconduct)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (d) above (fraud, corruption or other criminal offence)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (e) above (significant deficiencies in performance of a contract)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (f) above (irregularities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (g) above (creation of an entity with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (h) above (creation of a person with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III – Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal entity

The undersigned declares that a natural person or legal entity that assumes unlimited liability for the debts of the above-mentioned legal entity is in one of the following situations:	YES	NO	N/A
Situation (a) above (bankruptcy)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (b) above (breach in payment of taxes or social security contributions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV - Grounds for rejection from this procedure

The undersigned declares that the above-mentioned person:	YES	NO
was previously involved in the preparation of the procurement documents used in this awarding procedure, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise.	<input type="checkbox"/>	<input type="checkbox"/>

V - Remedial measures

If the person/entity declares one of the situations of exclusion listed above, they must demonstrate reliability by indicating measures taken to remedy the exclusion situation. This might for example include technical, organisational and staffing measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. Appropriate documentary evidence to illustrate the remedial measures taken must be **provided in annex to this declaration**.

This does not apply to situations referenced in point (d) of this declaration.

VI - Provision of evidence on request

Upon request and within the time limit set by the Goethe-Institut, the person/entity must provide information on natural persons or legal entities that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons within the ownership and control structure and beneficial owners.

It must also provide the following evidence concerning the person/entity themselves and the natural persons or legal entities on whose capacity the person intends to rely, or a subcontractor thereof, and concerning the natural persons or legal entities who assume unlimited liability for the debts of that person/entity:

*As evidence that none of the situations described in **(a), (c), (d), (f), (g) and (h)** are applicable, a recently dated **extract from the judicial record** must be provided, or failing that an equivalent document issued recently by a judicial or administrative authority in the person/entity's country of establishment, showing that those requirements are fulfilled.*

*As evidence that none of the situations described in **(b)** are applicable, recently dated **certificates issued by the competent authorities of the State concerned** must be provided. These certificates must provide evidence*

covering all taxes and social security contributions for which the person/entity is liable, including VAT, income tax (natural persons only), company tax (legal entities only) and social security contributions. In the event that one of the documents described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary, or failing that a formal statement made before an administrative authority or a qualified professional body in the person/entity's country of establishment.

The person/entity is not required to submit evidence if it has already been submitted within the scope of an earlier awarding procedure involving the Goethe-Institut. The documents must have been issued **no more than one year** before the date on which they are requested by the Goethe-Institut, and must still be valid at that date.

The undersigned declares that the person/entity has already provided the documentary evidence within the scope of an earlier procedure and confirms that there has been no change in their situation since:

Document	Full details of earlier procedure
<i>[Insert as many lines as required]</i>	

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

Full name

Date

Signature

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