**APPLICATION DOSSIER: ANNEX 3 – SOLEMN DECLARATION**

**Organisation name, address, head office contact details**

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**Register of trade**, registration number: **………………………………………………………………**

**Tax reference**: **………………………………………………………………**

**Surname, first name and capacity of organisation’s legal representative**: **………………………………………**

**……………………………………………………………………………………………………………………………………………………….**

***I solemnly declare that*** *(tick the boxes to indicate your agreement)****:***

* I have read all the documents of the call for applications;
* I do not fall within the scope of any of the submission prohibitions set out in Articles [45](https://www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=6F391D274FAD489BFC4EF64955FF6DA0.tpdila13v_1?idArticle=LEGIARTI000030922261&cidTexte=JORFTEXT000030920376&categorieLien=id&dateTexte=20160401) and [48](https://www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=6F391D274FAD489BFC4EF64955FF6DA0.tpdila13v_1?idArticle=LEGIARTI000030922267&cidTexte=JORFTEXT000030920376&dateTexte=20160401&categorieLien=id&oldAction=&nbResultRech=) of Order 2015-899 of 23 July 2015 on procurement[[1]](#footnote-1);
* I will comply with the international regulatory framework against money-laundering and for counter-terrorism[[2]](#footnote-2);
* Neither I, nor any member of my group, nor my suppliers, contractors, consultants or subcontractors appear on the lists of financial sanctions[[3]](#footnote-3) adopted by the United Nations, the European Union and/or France, in particular in the fight against the financing of terrorism and against attacks on international peace and security, and I undertake to inform Africalia without delay of any change in this situation;
* The organisation I represent complies with the national legislative framework and the international conventions ratified by the country where it is registered, particularly with regard to tax and social and public procurement law and respect for intellectual property rights.
* The organisation I represent is not in administration.
* The organisation I represent is not bankrupt, subject to insolvency or liquidation proceedings, in a state of cessation of activities or in any similar situation.
* The organisation I represent has not been found guilty of fraud, corruption or participation in a criminal organisation (money-laundering or financing of terrorism, terrorist offences or offences associated with terrorist activities, incitement to commit an offence, complicity in crime or attempted crime, child labour or other forms of human trafficking).
* The organisation I represent is capable of carrying out the presented project.
* No member of my organisation (staff, shareholders, governance members, etc.) meets the definition of PEPs (politically exposed persons)[[4]](#footnote-4).
	+ If this statement is not confirmed, please provide the surname, first name and function in the organisation of the politically exposed person, as well as details of the nature of the exposure (as explained in the definition of PEPs):

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* ***If my project is selected, I undertake to provide the necessary documents, in particular:***
* The complete officially registered personal details of the manager and partners/shareholders (with a stake higher than 25%), i.e.:
	+ A valid identity document issued by the competent authority of the person’s country, including a photograph, and including surname, first names, date and place of birth, date and place of issue of the document.
	+ A recent criminal record extract or certificate from the country of nationality.
* Printed bank account details for the organisation.
* The organisation’s organigram and list of members of the governance body with full contact details.
* ***If my project is selected, I authorise the publication of information about my organisation on the programme’s website and in other media for communication purposes.***
* ***I certify that all information contained in this proposal is accurate to the best of my knowledge and I acknowledge that any misrepresentation may result in the rejection of my application.***

Place: ………………………………………………………………… Date : ……/……/2021

Name and capacity of the signatory with the power to bind the company:

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…………………………………………………………………

Signature and organisation’s official stamp:

1. Under Articles 45 and 48 of the Order of 23 July 2015 and 48 of the Decree of 25 March 2016 (French Republic): https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030920376&dateTexte=&categorieLien=id [↑](#footnote-ref-1)
2. In particular, please take note of the following regulatory frameworks:

FATF: Financial Action Task Force on Money Laundering, an independent intergovernmental group whose mission is to promote policies to protect the global financial system against money-laundering and the financing of terrorism. FATF has developed Recommendations on Money Laundering and the Financing of Terrorism that include legislative, regulatory and international cooperation measures and constitute a recognised standard.

UN, EUROPEAN UNION The fight against terrorism: Four sanctions regimes:

the Al Qaeda sanctions regime resulting from UNSCR 1989 (previously 1267)

the Afghanistan/Taliban sanctions regime resulting from Resolution 1988 (previously 1267), iii)

the European Union autonomous sanctions regime resulting from Resolution 1373 (2001), and

the French national sanctions regime (Article L562-1 of the Monetary and Financial Code)

The French legislative and regulatory context

Order 2016-1635 (01/12/2016) reinforcing French measures against money-laundering and the financing of terrorism and amending the corresponding articles of the Monetary and Financial Code,

Order 2016-1575 (24/11/2016) reforming the asset-freezing regime in the context of the fight against the financing of terrorism or in the context of the implementation of asset-freezing measures decided by the United Nations Security Council or the Council of the European Union. [↑](#footnote-ref-2)
3. Lists of sanctions:

<https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions_e>

<https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list>

<http://www.tresor.economie.gouv.fr/4248_dispositif-national-de-gel-terroriste> [↑](#footnote-ref-3)
4. Definition:

1. **Natural persons occupying or having been entrusted with an important public office** are:

heads of state, heads of government, ministers, deputy ministers and secretaries of state;

parliamentarians;

members of supreme courts, constitutional courts and other high courts whose decisions are not subject to appeal, except in exceptional circumstances;

members of a court of auditors or the boards or management committee of a central bank;

ambassadors, chargés d'affaires and senior officers of the armed forces;

members of the administrative, management or supervisory bodies of public enterprises;

the directors, deputy directors and board members of an international organisation, or persons holding an equivalent position therein.

None of the categories mentioned in points (a) to (g) cover persons in intermediate or lower positions.

2. **Direct family members** are:

the spouse;

any partner considered under domestic law to be equivalent to a spouse;

children and their spouses or partners;

parents.

3. **Persons known to be closely associated** are:

any natural person known to be the beneficial owner of a legal person or a legal construct jointly with a person referred to in paragraph 1, or to maintain any other close business relationship with such a person;

any natural person who is the sole beneficial owner of a legal person or legal construct known to have been established for the de facto benefit of a person referred to in paragraph 1. [↑](#footnote-ref-4)