# Partners’ Declaration of Honour

**The undersigned, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ representing the applying organization \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for the Interreg VI-A Hungary – Slovakia Programme, hereby certifies the following:**

* I am legally authorised to sign this statement on behalf of my organisation;
* I confirm fulfilling the criterion of a public authority or a body governed by public law or private non-profit body or small or medium sized enterprise as defined in the Call for Proposal;
* I acknowledge that untruthful/false declarations, in addition to the administrative sanctions and the request for refunding unduly received contribution charged with the interests, can also be prosecuted by the penal code;
* My organisation, and all persons representing it in the project, is familiar with the content of the Interreg VI-A Hungary - Slovakia Programme as well as with the conditions for support from the programme as set in the documents published in the Applicant’s package, and understands what its respective obligations will be in case the project proposal is approved and the subsidy is awarded;
* I agree on and accept all the conditions stated in the relevant documents of the Application package (Call for Proposals, Guidelines for Applicants, draft Subsidy Contract for EU contribution and its General Terms and Conditions, draft Partnership Agreement, Eligibility of Expenditures, Visibility Manual).
* My organisation has the required legal, financial and operational capacity as set out in the specific call for proposal;
* The submitted project was developed jointly[[1]](#footnote-1) and wish to be implemented under the Interreg VI-A Hungary - Slovakia Programme;
* I am aware, that my organisation shall conclude a partnership agreement with all other project partners in compliance with point (a) of Article 26(1) of Regulation (EU) 2021/1059;
* The organization I represent is familiar with the content of the application form and understands what its role in the project will be;
* Activities to be carried out by my organisation in the framework of the project proposal are in line with the relevant EU legislation, programme rules and - where relevant - national legislation and policies of the countries involved
* Activities to be carried out by my organisation in the framework of the project proposal have not and will not receive support from other EU-funded programmes. In case that any of such funding is received after the submission of this proposal or during the implementation of the project, my organisation will immediately inform the Managing Authority;
* Activities to be carried out by my organisation in the framework of the project proposal do not include activities which were part of a project subject to relocation within the meaning of point (27) of Article 2 of Regulation (EU) 2021/1060 or which would constitute a transfer of a productive activity within the meaning of point (a) of Article 65(1) of that Regulation;
* In the event that the project proposal is approved for funding, I acknowledge that the programme authorities shall publish the name and address of my organisation, the main contents of the project proposal (title, project focus), the amount awarded and the rate of funding according to Article 49(3) of Regulation (EU) 2021/1060.;In case that, after the date of signing this declaration, my organisation is no longer in the position to fulfil any of the requirements listed above, it will inform the Managing Authority without delay.
* I agree that the management bodies may
  + collect data and information necessary for the processing of the Application and, with the help of own or acquired automated data processing systems, may handle, use, transmit and delete relevant data;
  + consult and contract third parties, bound by a pledge of secrecy, for the evaluation of the project proposal and the annexed documents;
  + if necessary, share data included in the application with organisations responsible for the national level co-ordination including evaluation and management of EU- and other subsidy systems.
* I duly consent to the fact that the Data Controller (Ministry of Foreign Affairs and Trade) and the Technical Data Processor (Széchenyi Programiroda Nonprofit Kft.) will manage all the personal data included in the Application and provided in the contracting or project implementation phase in line with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).
* I am aware of the Programme rules on state aid and horizontal principles.
* I declare in case of project started, but not physically completed or fully implemented before the submission of the application for funding, that the applicable law has been complied with. I furthermore declare that all financial information relevant to the organisation I legally represent is accurately stated in the Application Form and that expenditure will incur in accordance with the provisions of (IPA) Regulation (EU) No 2021/1529, the (Interreg) Regulation (EC) No 2021/1059 of the European Parliament and other relevant EU regulations, the respective national rules and the rules set out in the Programme’s documents (such as the Guidelines for Applicants and the Eligibility of Expenditures), and in particular that the reality of outputs (services, works, supplies etc.) will be justified and supported by plans, invoices, acceptance documents, experts' reports and other relevant documents.
* I am aware of the Programme rules on reimbursement.

Furthermore, the undersigned, **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** representing the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** hereby certifies that the organization I represent:

* is not bankrupt or wound up, is not having their affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
* has not been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata (i.e., against which no appeal is possible);
* has not been guilty of grave professional misconduct proven by any means which the Managing/National Authority can justify;
* has fulfilled obligations related to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the National Authorities or those of the country where the contract is to be performed;
* has not been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
* has not been declared to be in serious breach of contract for failure to comply with their contractual obligations in connection to a procurement procedure or other grant award procedure financed from the Union budget;
* is not subject to a conflict of interests connected to its participation in the present Calls for Proposals;
* is not guilty of misrepresentation in supplying the information required by the Managing/National Authority as a condition of participation in the Call for Proposals or does not fail to supply this information;
* has not attempted to obtain confidential information from decision-making and management bodies or influence any stage of the assessment/project selection process of current or previous Calls for Proposals;
* is not currently subject to an administrative penalty due to one of the situations referred to in points (f) and (h).

### Declaration on the VAT status of the Applicant[[2]](#footnote-2)

*(The applicable VAT status must be marked with* ***X****)*:

For your kind information: as a main rule, if the total budget (including VAT) of the project[[3]](#footnote-3) is below EUR 5.000.000, the VAT is eligible. However, please note that refundable VAT is ineligible under GBER schemes, which modifies the main rule and refundable VAT becomes ineligible.

The following declaration shall be filled in:

The body/organisation I represent is entitled to recover VAT based on national legislation for the activities implemented in the project:

YES  NO

If YES, and the total budget (including VAT) of the project is above or equal to EUR 5 000 000, be aware the recoverable VAT shall not be included in the Applicant’s budget since it is not eligible for reimbursement.

If YES, and the total budget (including VAT) of the project is below EUR 5 000 000, and the project is state aid relevant, the refundable VAT is not eligible. If NO, be aware the VAT can be included in the Applicant budget as it is eligible for reimbursement.

### Declaration on the availability of the own contribution

I, the Undersigned, being the legally authorised representative of the Applicant organisation, hereby declare that the organisation I am legally authorised to represent will provide its own contribution to the eligible expenditures and ensure the temporary availability of financial resources to run the project part before and between the reimbursement from the Programme.

### GDPR

I, by submitting the Application to the present Call for Proposals, acknowledge that the Data Controllers (Ministry of Foreign Affairs and Trade acting as Managing Authority and Széchenyi Programme Office Nonprofit LLC hosting the Joint Secretariat) will manage all the personal data included in the Application phase in line with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).

### Declaration on State aid

To fulfil this chapter of the declarations, please consult with chapter 8 of the Guidelines for Applicants including the relevant references. Consider these questions from the perspective of any organisations which could benefit directly or indirectly from the measure.

Am I involved in economic activities through project?

YES  NO

Will I implement activities and/or offer goods/services for which a market exists?

YES  NO

Are there activities/goods/services that could have been undertaken by an operator with the view to making profit (even if this is not my intention)?

YES  NO

Do I or any operator receive advantage in the framework of project?

YES  NO

Do I plan to carry out the economic activities on its own i.e. not to select an external service provider via public procurement procedures for example?

YES  NO

Will I or any other operator not included in the project as a project partner or the target audience gain any benefits from its project economic activities, not received in the normal course of business (i.e. not received in the absence of funding granted through the project)?

YES  NO

Justification (text) – in case the answer is “Yes” to any of the questions above (5.1.1, 5.1.2, 5.2.1 or 5.2.2), please explain below.

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### Applicable only for the Lead Partner

In case the organization I represent participating in the application as Lead Partner, the undersigned, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ representing the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ hereby certifies that, my organisation in its role of Lead Partner, is aware of that:

* the Lead Partner – representing all Partners of the project – submits, attached to present Declaration, the Application requesting subsidy for the abovementioned project from EU contribution assigned to the Interreg VI-A Hungary-Slovakia Programme;
* the Application submitted for funding is a thoroughly planned and prepared operation and that during the project generation phase (especially while planning the project budget) the principles of economy and focus have been closely observed;
* if selected for funding, the Lead Partner is in a position to deliver, upon request and within the set deadline, any supporting documents necessary for concluding the Subsidy Contract for EU Contribution;
* the Lead Partner will take on the role of the Lead Partner, with all the responsibilities assigned to it, both financial and professional, such as the responsibility for ensuring the implementation of the entire project; furthermore, I confirm that all the potential beneficiaries listed in the Application Form are committed to take part in the project activities as described in the Application Form.
* The Lead Partner shall conclude a partnership agreement with all partners as required by point (a) of Article 26(1) of Regulation (EU) 2021/1059;
* The Lead Partner shall repay to the Managing Authority any amount unduly paid, in compliance with Article 52(1) of Regulation (EU) 2021/1059.

### Signature – relevant for all Partners and Lead partner

I, the legally authorised representative of the organization, certify with my signature that the data and statements provided in this Declaration are complete, correct and actual, furthermore that the provisions of the relevant Call for Proposals, its Guidelines for Applicants and the Application package have been noted and respected and that all scanned documents enclosed with the Application correspond to the original documents. Any relevant changes to the data provided are subject to immediate notification by the Lead Partner.

I understand that if there are missing, inexact or incomplete data in this Application Form or its annexes, my application could be rejected.

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| Date | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Place | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Signature |  |
| Name and position | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

1. Where a cross-border legal body or an EGTC implements an integrated territorial investment pursuant to Article 30 of Regulation (EU) 2021/1060 or another territorial tool pursuant to point (c) of the first subparagraph of Article 28 of that Regulation, it may also be the sole beneficiary pursuant to Article 23(6) of this Regulation, provided that there is a separation of functions inside the cross-border legal body or the EGTC. (Art. 20; Interreg regulation) [↑](#footnote-ref-1)
2. Based on Article 64 of Regulation (EU) 2021/1060, value added tax is non eligible, except: (i) for operations the total cost of which is below EUR 5 000 000 (including VAT); (ii) for operations the total cost of which is at least EUR 5 000 000 (including VAT) where it is non-recoverable under national VAT legislation. [↑](#footnote-ref-2)
3. Refers to the total budget of the project – sum of budgets of all partners. [↑](#footnote-ref-3)