**Application Form**

**BUYER CREDIT “EXPRESS”**

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| **PRODUCT FEATURES**  Maximum amount of the Loan Agreement: Eur 10 mln (or equivalent amount in other allowed currencies)  Allowed currencies: Eur, USD, CHF, Yen, GBP  Maximum allowed reimbursement period: in compliance with the OECD “Arrangement on Officially Supported Export Credits” (OECD Consensus)  Product: Insurance policy  Maximum percentage of coverage: up to 95%  Uninsured portion: qualified as Mandatory Uninsured Portion  Environmental impact: excluding projects in sensitive areas or sectors or projects with potential criticalities for the protection of human rights.  Application Fee: Not required  Transactions related to the supply of goods or services within the EU Regulations 833/2014, 692/2014, 359/2011, 267/2012, 765/2006 and 263/2022 and related implementing acts and any other national, foreign, European and/or international law or regulation and/or restrictive and/or sanction measure applicable in relation to the entities involved in the transaction, the country of destination of the supply and/or the types of goods and services included in the supply, goods subject to export licences, including dual-use items and/or technologies and/or services related thereto, or which may be used and/or preparatory for the production of chemical weapons and/or toxic gases are excluded. |

To the kind attention of SACE S.p.A.

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| --- | --- |
| **Venezia – Mestre ⁯** | **Bologna ⁯** |
| Via Torino, 105 E  30172 Venezia - Mestre | Via M.E. Lepido, 182/2 - 40132 Bologna |
|  |  |
| **Milano ⁯** | **Roma ⁯** |
| Via San Marco, 21/A - 20121 Milano | Piazza Poli, 37/42 - 00187 Roma |
|  |  |

Applicant:

Address:

Contact person: Telephone No.:

Fax No.: E-mail/Certified Email[[1]](#footnote-1):

Application for:

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| - Insurance Policy □ |

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| IMPORTANT INFORMATION FOR THE COMPLETION OF THE FORM  ***The Applicant and the Exporter have the obligation to immediately as soon as they are aware notify any changes of not purely formal nature in the information and representations provided pursuant to this Application Form.***  ***By signing this Application Form, the Applicant and the Exporter acknowledge that they may not, in any communications or exchange of documents with SACE, rely on the issuance of an insurance cover or guarantee until SACE S.p.A. has provided written and final confirmation that its competent bodies and the other competent entities have approved the insurance cover or guarantee. Furthermore, the Applicant and the Exporter acknowledge that, in addition to such approval, the issuance of an insurance cover or guarantee by SACE S.p.A. is subject to, inter alia: (i) delivery of documents in form and substance satisfactory to SACE S.p.A.; (ii) the positive conclusion of a due diligence process, including customary KYC/anti-bribery checks; and (iii) no adverse change occurring in the political, economic and financial situation of the country relevant to the transaction.***  ***The Applicant and the Exporter acknowledge that SACE will rely on the information and representations received in order to consider the potential issuance of an insurance cover or guarantee. Thus, the Applicant and the Exporter warrant that all the information and representations provided in this Application Form and/or in the course of the preliminary analysis of the transaction are and will be accurate, true and complete in any material respect, and declare that they are aware of the legal consequences of misrepresentations in relation to the information and representations provided herein, also pursuant to articles 75 and 76 of Presidential Decree no. 445 of 28 December 2000, and the provisions of the Italian criminal code, including those regarding fraud and false representation.***  ***The Applicant and the Exporter represent that they have received the document entitled “KNOW YOUR CUSTOMER: REPUTATIONAL INFORMATION” and acknowledge, each insofar as it concerns itself: (1) their information undertakings provided therein, confirming the obligation to provide, upon SACE’s request, the information available to them; and (2) the rights of the interested parties and SACE provided therein.***  ***The Applicant and the Exporter further undertake, according to articles 1892 and 1893 of the Italian civil code, each insofar as it concerns itself, to provide to SACE true and accurate information or information which are consistent with written declarations provided by third parties.***  ***The SACE cover is issued by SACE in its own name and for the account of the Italian State, each for its respective quotas, pursuant to law decree 8 April 2020 no. 23 converted, with modifications, into law 5 June 2020 no. 40, amending article 6 of law decree 30 September 2003 no. 269, converted, with modifications, into law 24 November 2003 no. 326. Consequently, the undertakings and representations under this Application Form are assumed and made, through SACE, also for the benefit of the Italian State. It remains in any case understood that any communication and request under this Application Form shall be made to SACE only.*** |

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| **1. PARTIES[[2]](#footnote-2)** |  |
| * + - 1. i. APPLICANT BANK[[3]](#footnote-3)   *(Corporate name, Address)* |  |
| ii. AGENT BANK[[4]](#footnote-4)  *(Corporate name, Address)* |  |
| * + - 1. EXPORTER *(\*)*   *(Corporate name, Address)* |  |
| * + - 1. BUYER *(\*)*   *(Corporate name, Address)* |  |
| * + - 1. BORROWER   *(Corporate name, Address)* |  |
| * + - 1. GUARANTOR   *(Corporate name, Address)* |  |
| * + - 1. OTHER GUARANTEES OR OTHER FORM OF SUPPORT FOR THE TRANSACTION |  |

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| **2. COMMERCIAL CONTRACT[[5]](#footnote-5) (\*)** | |
| 1. Description of the supply |  |
| 1. Amount of the supply |  |
| 1. Goods of United States origin or containing components of United States origin | **Yes/No**  *(If yes, indicate whether the supply includes goods, services, software and technology which are prohibited or subject to prior authorisation pursuant to applicable US laws. In case of goods subject to prior authorisation, provide details relating to the type of authorisation and the competent authority which grants it. In case a license has been granted, a certified copy thereof must be attached to this Application.)* |
| 1. Description on supply components[[6]](#footnote-6)    1. Italian content    2. Non Italian content   (specify if of EU origin, extra EU origin or local costs) | DESCRIPTION CURRENCY & AMOUNT % out of total |
| 1. Amount disbursed abroad in relation to the execution of the Commercial Contract:   i. Agency fees  ii. Brokerage fees  iii. Other (please specify) | OTHER DISBURSEMENTS ABROAD CURRENCY/AMOUNT |
| 1. Date of execution of the Commercial Contract |  |
| 1. Date of the entry into force of the Commercial Contract |  |
| 1. How was the Commercial Contract awarded   (international tender[[7]](#footnote-7), short-list tender[[8]](#footnote-8), private negotiations, if other specify) |  |
| 1. Type of Commercial Contract   (supply of goods, turn-key, etc.) |  |
| 1. Delivery terms (Incoterms) |  |
| 1. Payment Terms   (advance payment – against shipping documents - invoices - during pre-shipment - performance test - provisional acceptance - performance warranty deductions – milestone payments - if other, specify*)* | METHOD OF AMOUNT % out of total  PAYMENT |
| 1. Terms for the execution of the supply   (Studies and Design/Engineering – Shipping – Works –Assembly - Testing – Provisional-Acceptance - Final Acceptance – Guarantee - if other, specify) | TYPE START COMPLETION DURATION  OF SERVICE DATE (dd/mm/yyyy) (months)  (dd/mm/yyyy) |

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| **3. LOAN AGREEMENT** | |
| 1. Amount (**Max. 10 mln euro**)   (specify currency and applicable exchange rate[[9]](#footnote-9)) |  |
| 1. Purpose |  |
| * 1. Execution date |  |
| * 1. “*Use of Proceeds Clause*”. (funds financed are to be used to pay the Commercial Contract signed with the Exporter) | **Yes/No** |
| * 1. Date of entry into force |  |
| * 1. Availability period |  |
| * 1. First (expected) Drawdown Date |  |
| * 1. Credit interest rate (%) (fixed or floating and margin (if any)) |  |
| * 1. Reimbursement schedule (**Max. reimbursement period: in compliance with the OECD Consensus)** | *(fill the Attachment relating to the plan of disbursement and the amortization plan)* |

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| **4. GUARANTEES** | |
| 1. Guarantee over the loan |  |
| - portion guaranteed[[10]](#footnote-10) (%) |  |
| - type of guarantee  (Letter of guarantee, other) |  |
| - Requirements  (unconditional, irrevocable, first demand) |  |
| - Methods for the resolution of disputes  (applicable law, seat in the event of arbitration, competent jurisdiction if ordinary courts) |  |
| 1. Other ancillary security | **Yes/No**  *(If Yes, describe type, characteristics and methods of enforcement)* |

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| **5. FURTHER INFORMATION FOR THE ASSESSMENT OF THE RISK** | | | | | |
| 1. Remuneration of the transaction[[11]](#footnote-11): Commissions and Fees paid by the Borrower and/or the Exporter(\*) (%)   (Arrangement-Management-Commitment-Agency- if other, specify) | TYPE | % or AMOUNT | | BORROWER/EXPORTER(\*) | |
| 1. Syndication | **Yes/No** *(If Yes, specify list participant banks, their registered office and the respective participation amounts)* | | | | |
| 1. (Mandatory Uninsured Portion: [TBD] [[12]](#footnote-12)) to be borne by the Applicant | **Yes/No** *(If Yes, specify whether wholly or partially; if No, specify any counter-guarantees as per the following scheme)* | | | | |
| POLITICAL EGL | | COMMERCIAL EGL | | TYPE |
| - exporter  - third party  (specify) | |  | |  |
| 1. Other information | ***Provide any additional information not required in this form, which may be useful for the overall evaluation of the transaction and the assessment of the risk profile.*** | | | | |
| 1. EGL[[13]](#footnote-13) for which cover is being applied for   - private entity  - sovereign entity | - only commercial EGL  - only political EGL  - commercial and political EGL  - commercial and political EGL | | | | |
| 1. SACE S.p.A. remuneration:   - method of payment  - paid by: | 100% at the time of execution of the Policy  15% at the time of execution of the Policy and 85% upon first disbursement  15% at the time of execution of the Policy and 85% pro-quota disbursements  Borrower  Insured Party  Exporter (\*)  other: | | | | |
| 1. Election of domicile (Process Agent) [[14]](#footnote-14)   *(this section is mandatory when Applicant is a bank which is not resident in Italy)* | *Please specify the address of the domiciled office* | | | | |

**PARTIES INFORMATION**

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| **1. APPLICANT BANK**  Specify if: Foreign Bank Italian Bank  Corporate name:  Corporate form:  Legal Address:  Zip Code: City: Country:  Administrative offices address (if different):  Zip Code: City: Country:  (1) VAT Code or equivalent information: *Codice Fiscale*:  ABI/ABA: CAB: Date of incorporation:  (2) SWIFT Code:  **Person in charge of relations with SACE[[15]](#footnote-15):**  Name:  Address:  Zip code: City: Country:  Telephone N°: Fax N°: E-mail/Certified E-mail: |

1. Compulsory information.
2. Compulsory information for foreign Applicant Bank.

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| **2. BORROWER[[16]](#footnote-16)** |
| Corporate name:  Corporate form: Date of incorporation:  Legal Address:  Zip Code: City: Country:  Telephone N°: Fax N°: E-mail/Certified E-mail:  Web Site:  Administrative offices address (if different):  Zip Code: City: Country:  SWIFT Code (if bank):  On the basis of the declaration made by the Borrower, the Borrower is a foreign company[[17]](#footnote-17):  [ ] with a branch in Italy and/or a permanent establishment in Italy  [ ] without a branch in Italy and/or a permanent establishment in Italy  (*If the Borrower is a foreign company with branch in Italy and/or with permanent establishment in Italy, a PDF copy of the digitally executed antimafia self-certification in the form attached in Annex 1-A/1-B[[18]](#footnote-18) or a PDF copy of the antimafia self-certification together with a PDF copy of the identity document and fiscal code of the relevant signatory, if such self-certification has not been digitally signed, must be attached to this form. In the event that the Borrower is an entity exempted from the filing of antimafia documentation pursuant to the applicable laws, a PDF copy of the declaration of exemption shall be attached hereto in the form attached in Annex 1-C digitally executed or a PDF copy of the declaration together with a PDF copy of the identity document and fiscal code of the relevant signatory, if such declaration has not been digitally signed).* |
| **3. BUYER[[19]](#footnote-19)** |
| Corporate name:  Corporate form:  Legal Address:  Zip Code: City: Country:  Telephone N°: Fax N°: E-mail/Certified E-mail:  Web Site:  Administrative offices address (if different):  Zip Code: City: Country: |

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| **4. GUARANTOR** |
| Corporate name:  Corporate form: Date of Incorporation (if bank):  Legal Address:  Zip Code: City: Country:  Telephone N°: Fax N°: E-mail/Certified E-mail:  Web Site:  Administrative offices address (if different):  Zip Code: City: Country:  SWIFT Code (if bank): |

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| **5. ITALIAN EXPORTER[[20]](#footnote-20) (\*)** |
| Corporate name:  Corporate form: Date of Incorporation:  Province and CCIAA number:  Legal Address:  Zip Code: City: Country:  Administrative offices address (if different):  Zip Code: City: Country:  Operative offices address (if different from the legal address and/or the administrative office address):  same of the legal address⁯  same of the administrative office address ⁯  Zip Code: City: Country:  *Partita IVA*/VAT Code: *Codice Fiscale*: Web Site:  *ATECO Azienda* Code: SME: YES NO  Corporate purpose:  Reference Banks:  **Person in charge of relations with SACE**:  Name:  Address:  Zip code: City: Country:  Telephone N°: Fax N°: E-mail/Certified E-mail: |
| Name of Consortium/RTI[[21]](#footnote-21):  Address: City: Country:  List of participants: quota % |

***In the event SACE S.p.A. issues an insurance product, all information provided in this Application Form will be construed as provided in accordance with and pursuant to articles 1892 and 1893 of the Italian Civil Code.***

1. The Exporter acknowledges that (i) pursuant to the Insurance Policy that SACE may have potentially issued, SACE is required to indemnify the Applicant even in the event that the non-payment of amounts due is related to breaches by the Exporter of its obligations pursuant to the Commercial Contract; (ii) SACE will make full reliance on the truthfulness, accuracy and completeness of the information and representations set forth in this Application Form, as well as any other data, declarations, letters of commitment or information provided by the Exporter; and (iii) the Commercial Contract and the Insurance Policy that SACE may have potentially issued must comply with Italian and foreign laws and regulations.
2. The Exporter acknowledges that SACE is under an obligation to keep all the information provided to it in this Application Form private and confidential, except when such information becomes necessary to protect SACE’s own interests or is required by competent Authorities. SACE may disclose any information concerning the transaction (a) to its own subsidiary and affiliate companies; (b) to the Ministry of Economy and Finance of the Republic of Italy and its departments, other Italian Ministries (including any of their department), Interministerial committees of the Italian Government and any other committee, authority, agency or governmental entity or body; (c) to providers of reinsurance/counter guarantee or any form of risk enhancement (including their agents, brokers and consultants) subject to such persons undertaking confidentiality obligations with SACE (unless they are subject to professional duties of confidentiality), (d) for the purposes of the State guarantee in favour of SACE and the coinsurance regime between SACE and the Italian State pursuant to article 6 of law-decree n. 269/2003 converted, with modifications, into law 326/2003 and/or for the purposes of article 2 of law decree 23/2020 converted, with modifications, into law 40/2020, (e) as requested by, or pursuant to, European Union law, the Berne Union and/or international organizations of which SACE or the Republic of Italy is a member (including the Organisation for Economic Co-operation and Development (OECD)), (f) following any payment due under the Insurance Policy, or (g) with the consent of the Exporter, not to be unreasonably withheld.
3. The Exporter represents that (i) all information and representations provided in the sections related to the Commercial Contract, and Parties Information (sub-section 5) of this Application Form are true and that no circumstance of which the Exporter is aware has been withheld, omitted or modified; (ii) all payments made and/or to be made, including those in favour of consultants and intermediaries, in relation to the award, negotiation, execution and performance of the Commercial Contract, represent due and proper payments for legitimate and effectively supplied services; (iii) the procedure to award the Commercial Contract was implemented in compliance with the principles of loyalty, transparency and fairness [and in compliance with the requirements and according to the procedures established for international tenders] and the Commercial Contract was duly signed by the parties and is fully binding.[[22]](#footnote-22)
4. To its knowledge, the Exporter represents, to all legal effects, that[[23]](#footnote-23):

* no judgment or administrative, interdictory and/or preventive measure has been issued or taken against it in the last five years for a violation of (i) anti-bribery laws pursuant to the OECD (Organization for Economic Cooperation and Development) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (the “**Convention**”) and/or (ii) domestic anti-bribery laws and/or (iii) anti-bribery in the private sector laws; or
* on [•], a judicial order or any other administrative, interdictory and/or preventive measure was issued against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.[[24]](#footnote-24)
* no judgment or administrative, interdictory and/or preventive measure has been issued or taken, in the last five years, against any agent and/or representative acting on its behalf in relation to the transaction, for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* on [•]**,** a judicial order or any administrative, interdictory and/or preventive measure was issued against one or more agents and/or representatives acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws. [[25]](#footnote-25)
* no legal proceedings and/or formal investigations by public prosecutors are currently pending against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* legal proceedings and/or formal investigations by public prosecutors are currently pending against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.
* no legal proceedings and/or formal investigations by public prosecutors are currently pending against any agent and/or representative acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* legal proceedings and/or formal investigations by public prosecutors are currently pending against one or more agents and/or representatives acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.
* any agent and/or representative acting on its behalf in relation to the transaction is not included on any publicly available debarment lists of the World Bank or other Multilateral Financial Institutions[[26]](#footnote-26); or
* any agent and/or representative acting on its behalf in relation to the transaction is included on the publicly available debarment list(s) of the World Bank or other Multilateral Financial Institutions.
* it is not included on any publicly available debarment lists of the World Bank or other Multilateral Financial Institutions; or
* it is included on the publicly available debarment list(s) of the World Bank or other Multilateral Financial Institutions.
* it is not a Sanctioned Person nor it is owned or controlled by, or it has acted on behalf of or for, Sanctioned Persons[[27]](#footnote-27); or
* it is a Sanctioned Person or it is owned or controlled by, or it has acted on behalf of or for, Sanctioned Persons.

1. The Exporter represents that[[28]](#footnote-28):

* in the framework of its organizational, management and control system, it has adopted its own code of ethics and organisational model pursuant to Italian Legislative Decree 231/2001, to which is bound, and is aware of the laws and regulations which govern SACE and its business operations;
* it is fully aware of, and agrees with the fundamental principles of the code of ethics adopted by SACE in the framework of its organizational, management and control model pursuant to Italian Legislative Decree 231/2001 and undertakes to fully comply with it terms and that it is aware of the laws and regulations which govern SACE and its business operations.

1. The Exporter represents that it has applied internal corrective and preventative measures and appropriate management periodical control systems that seek to prevent and deter bribery in international business transactions and that are supported by adequate training for staff, reporting mechanisms and internal audit procedures.
2. [in addition to the above, the Exporter provides the following information:
3. the identity of any natural or legal person, such as agents, acting on behalf of the Exporter in connection with the execution of the Commercial Contract;
4. the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons; and
5. the country or jurisdiction in which the commissions and fees have been paid, or agreed to be paid.][[29]](#footnote-29)

[The Exporter undertakes to provide, at SACE’s express request, all further information that SACE reasonably deems necessary to assess the potential involvement in bribery crimes under the Convention and/or laws against domestic bribery and/or laws against bribery in the private sector, including, but not limited to:

1. the identity of any natural or legal person, such as agents, acting on behalf of the Exporter in connection with the execution of the Commercial Contract;
2. the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons; and
3. the country or jurisdiction in which the commissions and fees have been paid, or agreed to be paid.][[30]](#footnote-30)
4. The Exporter undertakes to provide, at SACE’s express request, the information related to the beneficial ownership and financial condition of any of the other parties involved in the execution of the Commercial Contract.
5. The Exporter represents and undertakes that it has not committed and will not commit, neither directly nor indirectly through its agents and/or representatives, violations of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or laws against domestic bribery and/or laws against bribery in the private sector and/or crimes pursuant to Legislative Decree 231/2001 in relation to the transaction for which SACE’s support is required, including in relation to (i) the methods and procedures followed in the award of the Commercial Contract, (ii) the participation in any international tender, (iii) the negotiation, execution and performance of the Commercial Contract and (iv) other possible agreements, authorizations, licences, consents, permits and commitments relating and/or connected to the Commercial Contract.
6. The Exporter undertakes: (i) to punctually and precisely comply with all of its obligations pursuant to the Commercial Contract and (ii) to provide SACE with the documentation suitable for the purposes of certifying the origin of the goods and/or services related to the Commercial Contract, including the certificates of origin of the exported goods issued by the Chamber of Commerce, Industry, Crafts and Agriculture, and the sum of the amounts transferred abroad for any reason in connection with the performance of the Commercial Contract, in order to allow SACE to carry out checks as to the origin of the exported goods that it deems necessary.
7. The Exporter represents that the transaction for which SACE’s support is required does not lead to the transfer abroad of its research and development activities and provides that a substantial part of its productive activities shall remain on national territory.
8. In the event of untruthfulness, inaccuracy and/or incompleteness of the information or representations provided in this Application Form or of any other data, declarations, letters of commitment or information provided by the Exporter to SACE, or in the event of a final judgment and/or administrative, interdictory and/or preventive measure for violation of laws against bribery of foreign and domestic public officials pursuant to the OECD Convention and/or laws against domestic bribery and/or laws against bribery in the private sector and/or Italian Legislative Decree no. 231/2001 committed by the Exporter, and/or any of its directors or any other person acting on its behalf for the purposes of the award, negotiation, execution and performance of the Commercial Contract, the Exporter acknowledges and accepts that SACE shall be entitled to withdraw from any further guarantee and/or insurance policy entered into with the Exporter in connection with the Commercial Contract.
9. The Exporter represents that the transaction for which SACE’s support is required does not relate:

Sensitive Areas

* + National Parks and other protected areas identified by national or internationals laws.
  + Wetlands/marshes, forests of high value for biodiversity;
  + High value archaeological or cultural areas.

Sensitive Industries

* + Coal-fired power plants;
  + Nuclear power plants.

Human rights

* + Displacement of villages, communities or numerous group of people (so called *resettlement*)
  + Dispossession and forced lands acquisitions
  + Conflict areas (e.g. ethnical, political, religious)[[31]](#footnote-31)
  + High number of immigrant workers (so called *modern slavery*)
  + Slave labour risks
  + Child labour risks
  + High risk for work safety
  + Indigenous people or other vulnerable communities or minorities

1. The Exporter represents and warrants that the Commercial Contract does not have as its object:

* the supply of goods and services falling within the scope of EU Regulation 833/2014 concerning restrictive measures against Russia and related implementing acts, as amended and/or supplemented from time to time, EU Regulation 692/2014 concerning restrictive measures against Crimea and related implementing acts, as amended and/or supplemented from time to time, EU Regulation 359/2011 and/or EU Regulation 267/2012, concerning restrictive measures against Iran and related implementing acts, as amended and/or supplemented from time to time, EU Regulation 263/2022 concerning restrictive measures against the Ukrainian territories of Donetsk and Luhansk and related implementing acts, as amended and/or supplemented from time to time, EU Regulation 765/2006 concerning restrictive measures against Bielorussia and related implementing acts, as amended and/or supplemented from time to time or any other national, foreign, European and/or international law or regulation and/or restrictive and/or sanction measure applicable in relation to the entities involved in the transaction, the country of destination of the supply and/or the types of goods and services included in the supply;
* the supply of goods and services falling within the scope of (i) national, foreign, European and/or international laws or regulations applicable to the Exporter and/or the Commercial Contract concerning restrictions on the export, transfer and/or supply of dual-use items and/or technologies and/or services related thereto (including EU Regulation 2021/821 and Legislative Decree No. 221 of 15 December 2017); (ii) Law no. 185 of 9 July 1990 “New regulations on the control of export, import and transit of military goods”, implementing Directive 2009/43/EC, which regulates intra- and extra-EU transfers of defence-related products, or supply of goods or services that are otherwise subject to export licences; or
* goods which may be used and/or are preparatory for the production of chemical weapons or toxic gases.

1. The Exporter accepts that all notifications and/or documentation sent by SACE will be considered valid and effective if addressed to the email, certified email address and/or address indicated.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(the legal representative or a duly authorised person)

**CONSENT TO PERSONAL DATA PROCESSING**

**THE LEGAL REPRESENTATIVE/AUTHORISED PERSON**

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as legal representative/subject delegated to sign the contractual documentation, declares to have read the Privacy Policy at <https://www.sace.it/docs/default-source/privacy/informativa-unica-english-version.pdf?sfvrsn=4c4fedbe_0&_ga=2.37531104.1716843376.1642608049-379215771.1642009954>, provided pursuant to the articles 13 and 14 of Regulation 2016/679 (GDPR) and to have made aware of any third parties whose data he/she provides.

The processing of personal data for marketing purposes is carried out from SACE S.p.A. and its group companies in their capacity of Controllers and/or Joint Controllers pursuant to the article 26 of GDPR, only with the express consent of the data subject.

Regarding the processing of my personal data related to marketing activities (sending advertising material, direct selling, carrying out market research and commercial communication) and quality monitoring, including through remote communication techniques, whether automated (such as e-mail, text or instant messaging) or traditional (such as calls by operators) of SACE and its group companies

I consent  I do not consent

Regarding the disclosure of their personal data to third parties for purposes of commercial information, statistical analysis, market research and direct offers of products and services carried out through traditional and automated methods of contact

I consent  I do not consent

Date \_\_\_ / \_\_\_ / \_\_\_\_\_\_ Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The consent given may be revoked at any time writing to the following e-mail addresses: privacy@sace.it, privacy@sacebt.it, privacy@sacefct.it, privacy@sacesrv.it.

The Privacy Policy must be signed and attached to this Application form when the Application is submitted.

1. The Applicant represents:
2. that all information provided in this Application Form, save for the information provided in the section relating to the Commercial Contract and Parties Information (sub-section 5), is true and that it is not aware as to whether any information has been withheld, omitted or modified;
3. that the Loan Agreement, in relation to the breach by the Borrower / Guarantor of the representations and warranties and/or the undertakings set out under the Loan Agreement relating to the compliance with the provisions of the legislation against international bribery, includes clauses providing for the right of the Applicant to accelerate or otherwise request for the prepayment of the debt with the corresponding obligations on the Borrower / Guarantor to prepay the debt in addition to any additional damages
4. that the Loan Agreement includes clauses providing for the right of the Applicant to accelerate the debt, with the corresponding obligations on the Borrower / Guarantor to prepay the debt, in addition to any additional damages, in case (i) Sanctioned Persons[[32]](#footnote-32) are, or becomes, involved in the Loan Agreement and (ii) the Borrower applies the proceeds of the Loan Agreement for activities which are in violation of, or in any case in contrast with, Sanctions[[33]](#footnote-33);
5. that, on the basis of the proper due diligence made by the Applicant, no Sanctioned Persons[[34]](#footnote-34) are involved in the Loan Agreement or in the activities to be financed under the Loan Agreement;
6. that the Loan Agreement includes clauses providing for the right of the Applicant to accelerate the debt, with the corresponding obligations on the Borrower / Guarantor to prepay the debt, in addition to any additional damages, in case of misrepresentations or breach of undertakings relating to (i) the maintenance by the Borrower and the other persons or entities involved in the financing of policies, procedures and internal controls to ensure that it fully complies with sanctions laws and regulations and (ii) the absence of any conduct by the Borrower and the other persons or entities involved in the financing which are in contrast with applicable regulations on international economic sanctions and export control and regulations or which may cause the Applicant and/or SACE to be in breach of Sanctions[[35]](#footnote-35) or to be subject to Sanctions[[36]](#footnote-36) and/or of other national, foreign, European and/or international laws and regulations applicable to the Exporter and/or the Commercial Contract concerning restrictions and export control, including EU Regulation 2021/821 and Legislative Decree No. 221 of 15 December 2017;
7. that the Loan Agreement includes clauses providing that the Borrower’s payment obligations under the Loan Agreement rank at least *pari passu* with the existing and future claims of all its other unsecured and unsubordinated creditors (“pari passu” clause).
8. The Applicant undertakes to notify SACE of any variation, which may occur subsequently to the completion of this Application Form.
9. The Applicant acknowledges that SACE is under an obligation to keep all the information provided to it in this Application Form private and confidential, except if the information is necessary to protect SACE’s own interests or is required by competent Authorities. SACE may disclose any information concerning the transaction (i) to its own subsidiary and affiliate companies; (ii) to the Ministry of Economy and Finance of the Republic of Italy and its departments, other Italian Ministries (including any of their department), Interministerial committees of the Italian Government and any other committee, authority, agency or governmental entity or body; (iii) to providers of reinsurance/counter guarantee or any form of risk enhancement (including their agents, brokers and consultants) subject to such persons undertaking confidentiality obligations with SACE (unless they are subject to professional duties of confidentiality), (iv) for the purposes of the State guarantee in favour of SACE and the coinsurance regime between SACE and the Italian State pursuant to article 6 of law-decree n. 269/2003 converted, with modifications, into law 326/2003 and/or for the purposes of article 2 of law decree 23/2020 converted, with modifications, into law 40/2020, (v) as requested by, or pursuant to, European Union law, the Berne Union and/or international organizations of which SACE or the Republic of Italy is a member (including the Organisation for Economic Co-operation and Development (OECD)), (vi) following any payment due under the Insurance Policy, or (vii) with the consent of the Applicant, not to be unreasonably withheld.
10. The Applicant is aware that the loan agreement and any guarantee which may be granted must comply with Italian and foreign law and, in particular, administrative and criminal laws, including the Italian Legislative Decree 231/2001.
11. To its knowledge, the Applicant represents, to all legal effects, that[[37]](#footnote-37):

* no judgment and/or administrative, interdictory and/or preventive measure has been issued or taken against it in the last five years for a violation of anti-bribery laws pursuant to the OECD (Organization for Economic Cooperation and Development) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (the “**Convention**”) and/or (ii) domestic anti-bribery laws and/or (iii) anti-bribery in the private sector laws; or
* on [•], a judicial order or any other administrative, interdictory and/or preventive measure was issued against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.[[38]](#footnote-38)
* no judgment or administrative, interdictory and/or preventive measure has been issued, in the last five years, against any agent and/or representative acting on its behalf in relation to the transaction, for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* on [•]**,** a judicial order or any other administrative, interdictory and/or preventive measure was issued against one or more agents and/or representatives acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws. [[39]](#footnote-39)
* no legal proceedings and/or formal investigations by public prosecutors are currently pending against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* legal proceedings and/or formal investigations by public prosecutors are currently pending against it for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.
* no legal proceedings and/or formal investigations by public prosecutors are currently pending against any agent and/or representative acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws; or
* legal proceedings and/or formal investigations by public prosecutors are currently pending against one or more agents and/or representatives acting on its behalf in relation to the transaction for a violation of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the private sector laws.
* it is not included on any publicly available debarment lists of the World Bank or other Multilateral Financial Institutions[[40]](#footnote-40); or
* it is included on the publicly available debarment list(s) of the World Bank or other Multilateral Financial Institutions.
* any agent and/or representative acting on its behalf in relation to the transaction is not included on any debarment lists of the World Bank or other Multilateral Financial Institutions; or
* any agent and/or representative acting on its behalf in relation to the transaction is included on the debarment list(s) of the World Bank or other Multilateral Financial Institutions.
* it is not a Sanctioned Person nor it is owned or controlled by, or it has acted on behalf of or for, Sanctioned Persons[[41]](#footnote-41); or
* it is a Sanctioned Person or it is owned or controlled by, or it has acted on behalf of or for, Sanctioned Persons.

1. The Applicant represents that:

* in the framework of its organizational, management and control system, it has adopted its own code of ethics and organisational model pursuant to Italian Legislative Decree 231/2001, to which is bound; or if the Applicant has not adopted its own code of ethics:
* it is fully aware of, and agrees with the fundamental principles of the code of ethics adopted by SACE in the framework of its organizational, management and control model pursuant to Italian Legislative Decree 231/2001 and undertakes to fully comply with it terms.

1. The Applicant represents that it has applied internal corrective and preventative measures and appropriate management periodical control systems that seek to prevent and deter bribery in international business transactions and that are supported by adequate training for staff, reporting mechanisms and internal audit procedures.
2. The Applicant represents and undertakes that it has not committed and will not commit, neither directly nor indirectly through its agents and/or representatives, violations of laws against bribery of foreign and domestic public officials pursuant to the Convention and/or domestic anti-bribery laws and/or anti-bribery in the sector laws in relation to the transaction for which it is requesting SACE support.
3. [The Applicant represents that the Loan Agreement, the Guarantee [and the Security] are drafted in line with the best practice usually followed by the Applicant in similar financing transactions and contain contractual clauses usually included in similar financing transactions][[42]](#footnote-42).
4. The Applicant accepts that all notifications and/or documentation sent by SACE shall be considered valid and effective if addressed to the email and/or certified email address and/or address indicated.
5. The Applicant undertakes to include in the facility agreement an acknowledgment that SACE shall request, in relation to the Borrower, the anti-mafia documentation, specifying that, in the event that an anti-mafia interdiction measure is issued, the Applicant shall proceed to promptly undertake the remedies provided for by the facility agreement (including, depending on the case, the termination, withdrawal or acceleration and prepayment).[[43]](#footnote-43)

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(the legal representative or a duly authorised person)

**CONSENT TO PERSONAL DATA PROCESSING**

**THE LEGAL REPRESENTATIVE/AUTHORISED PERSON**

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as legal representative/subject delegated to sign the contractual documentation, declares to have read the Privacy Policy at <https://www.sace.it/docs/default-source/privacy/informativa-unica-english-version.pdf?sfvrsn=4c4fedbe_0&_ga=2.37531104.1716843376.1642608049-379215771.1642009954>, provided pursuant to the articles 13 and 14 of Regulation 2016/679 (GDPR) and to have made aware of any third parties whose data he/she provides.

The processing of personal data for marketing purposes is carried out from SACE S.p.A. and its group companies in their capacity of Controllers and/or Joint Controllers pursuant to the article 26 of GDPR, only with the express consent of the data subject.

Regarding the processing of my personal data related to marketing activities (sending advertising material, direct selling, carrying out market research and commercial communication) and quality monitoring, including through remote communication techniques, whether automated (such as e-mail, text or instant messaging) or traditional (such as calls by operators) of SACE and its group companies

I consent  I do not consent

Regarding the disclosure of their personal data to third parties for purposes of commercial information, statistical analysis, market research and direct offers of products and services carried out through traditional and automated methods of contact

I consent  I do not consent

Date \_\_\_ / \_\_\_ / \_\_\_\_\_\_ Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The consent given may be revoked at any time writing to the following e-mail addresses: privacy@sace.it, privacy@sacebt.it, privacy@sacefct.it, privacy@sacesrv.it.

The Privacy Policy must be signed and attached to this Application form when the Application is submitted.

**ANNEX 1**

**Sub Annex A) - Dichiarazione che deve essere resa dal legale rappresentante della Società**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

- che, ai sensi della vigente normativa antimafia, nei propri confronti non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 del d. lgs. n. 159/2011 e s.m.i.;

- ai sensi dell’art. 85, comma 3, del d. lgs n. 159/2011 e s.m.i., di avere i seguenti familiari conviventi di maggiore età[[44]](#footnote-44):

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**PARTE 2**

**[NOTA: REPLICARE LA DICHIARAZIONE PER CIASCUN SOGGETTO SOTTOPOSTO A VERIFICA]** [[45]](#footnote-45)

ai sensi e per gli effetti di cui all’art. 47 del DPR 445/2000, di essere a diretta conoscenza che, ai sensi della vigente normativa antimafia, nei confronti di [*nome e cognome*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in qualità di [*indicare ruolo*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_della società [∙] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ come sopra individuata, non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 deld. lgs. n. 159/2011 e s.m.i

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Familiari conviventi del soggetto sottoposto alla verifica antimafia, da indicare ai sensi dell’art. 85, comma 3, del decreto legislativo 6 settembre 2011, n.159[[46]](#footnote-46)

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

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(firma leggibile)

In fede,

Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale**

**Sub Annex B[[47]](#footnote-47)) - Dichiarazione che deve essere resa da ciascun soggetto sottoposto alla verifica antimafia ai sensi dell’art. 85, del decreto legislativo 6 settembre 2011, n. 159[[48]](#footnote-48)**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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| Il sottoscritto | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| Nato a | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(luogo)* |

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| In data | |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |   *(gg/mm/aaaa)* | Codice Fiscale | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(Codice Fiscale)* |

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| Residente a | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(luogo)* | Provincia | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(sigla)* |

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| della Società | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(Ragione Sociale)* |

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| Codice Fiscale | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(Codice Fiscale della Società)* | Partita IVA | |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |   *(Partita IVA)* |

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| con sede legale in | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  | |

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| città | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |

**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

- che, ai sensi della vigente normativa antimafia, nei propri confronti non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 del d. lgs. n. 159/2011 e s.m.i.;

- ai sensi dell’art. 85, comma 3, del d. lgs n. 159/2011 e s.m.i., di avere i seguenti familiari conviventi di maggiore età[[49]](#footnote-49):

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| Nato a | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(luogo)* |

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| In data | |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |   *(gg/mm/aaaa)* | Codice Fiscale | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(Codice Fiscale)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
| città | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | | |

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
| città | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | | |

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

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(firma leggibile)

In fede,

Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale.**

**Sub Annex C)[[50]](#footnote-50) - Dichiarazione che deve essere resa dal legale rappresentante della Società nel caso in cui non occorre richiedere la documentazione antimafia**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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| Il sottoscritto | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| **In qualità di Legale Rappresentante** | |  |
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**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

che la documentazione antimafia non è richiesta in quanto:

**a)** **ricorre l’ipotesi indicata**:

nell’art. 83, comma 3, lettera a), del d. lgs. 6 settembre 2011, n. 159, e s.m.i.

nell’art. 83, comma 3, lettera b), del d. lgs. 6 settembre 2011, n. 159 e s.m.i.

**b)** **la società** **è regolarmente iscritta, con iscrizione in corso di validità:**

nell'elenco dei fornitori, prestatori di servizi ed esecutori di lavori di cui all’[art. 1, commi 52 e seguenti, della legge 6 novembre 2012, n. 190](http://bd01.leggiditalia.it/cgi-bin/FulShow?TIPO=5&NOTXT=1&KEY=01LX0000776418ART13), presso la Prefettura di \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ con data di fine validità \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

nell'Anagrafe antimafia degli esecutori istituita dall’[art. 30, del decreto-legge 17 ottobre 2016, n. 189](http://bd01.leggiditalia.it/cgi-bin/FulShow?TIPO=5&NOTXT=1&KEY=01LX0000839032ART63), convertito, con modificazioni, dalla legge 15 dicembre 2016, n. 229, con data di fine validità \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

La Società si impegna a fornire immediata comunicazione di eventuali variazioni intervenute riguardanti il titolo di esclusione[[51]](#footnote-51), che comportano la necessità di sottoscrivere la dichiarazione prevista in Allegato A) o l’eventuale rinnovo della validità delle iscrizioni nei predetti elenchi.

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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(firma leggibile)

In fede,

Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale.**

1. Please note that SACE reserves the right  to send communication and/or documents to the e-mail or certified e-mail address indicated in the representations. [↑](#footnote-ref-1)
2. For each party, specify to which group it is a part of. [↑](#footnote-ref-2)
3. The financing institution under the Loan Agreement or, in the event of a pool of lenders, the lead manager/agent of the pool. [↑](#footnote-ref-3)
4. The bank, which upon specific mandate from the Applicant, on behalf of such Applicant and acting with the responsibility of an agent, makes the disbursements and verifies that the documentation required for disbursement is in form and substance satisfactory. [↑](#footnote-ref-4)
5. The information requested relates to the export which is being financed; if there are more than one supply, please provide details for each such supply. [↑](#footnote-ref-5)
6. For purposes of calculating the impact of the EU content portion, the non-EU content portion and the local content portion on the Contract price, the aggregate purchase price paid by the Exporter is to be taken into account. Any counter-value conversion into the currency of the Italian exporter’s supply shall be calculated applying the exchange rate in force 2 days prior to the execution date of the commercial contract. The sum of portions specified in sections i and ii must equal 100% of the Contract value. [↑](#footnote-ref-6)
7. International tender: tender carried out in compliance with the principles of publicity, equal status of the bidders and the procedure provided for by EU Directives 92/50, 93/36 and 93/37 of the European Union. [↑](#footnote-ref-7)
8. Short-list tender: limited procedure in which the Entity awarding the contract selects bidders at its discretion. [↑](#footnote-ref-8)
9. To be specified in the event that the currency of the loan is different from that of the commercial contract Allowed currencies: Euro, USD, CHF, YEN, GBP. [↑](#footnote-ref-9)
10. In the event of more than one guarantor, please specify whether joint and several or otherwise. [↑](#footnote-ref-10)
11. Specify fees applied to the transaction and party(ies) paying such fees [↑](#footnote-ref-11)
12. Indicate the mandatory uninsured percentage agreed with SACE (minimum 5%) [↑](#footnote-ref-12)
13. Event Generating Loss (EGL) [↑](#footnote-ref-13)
14. Please list the domiciled persons, authorised to receive any communications or notifications, including judicial documents from SACE relating to the transaction described in this Form. [↑](#footnote-ref-14)
15. Indicate address where all notifications from SACE shall be sent, specifying the corporate name only if different from that of the “Applicant Bank” and/or

    the “Italian Exporter” (\*). [↑](#footnote-ref-15)
16. In the event of more than one buyer, borrower and/or guarantor, fill out the relevant fields for each of these. [↑](#footnote-ref-16)
17. To delete in case of public or sovereign borrower. [↑](#footnote-ref-17)
18. The Borrower shall sign the antimafia self-certification using, at his own choice, the form attached in Annex 1-A, to be signed by the owner or legal representative with reference to all other entities subjected to antimafia checks in accordance with art. 85 of Legislative Decree no. 159 of September 6, 2011, or the form attached in Annex 1-B, to be signed by each person subject to the antimafia checks pursuant to art. 85 of Legislative Decree no. 159 of September 6, 2011. The antimafia self-certification shall be attached only if the Borrower is not an entity exempt from the filing of the antimafia documentation according to the applicable laws. [↑](#footnote-ref-18)
19. Fill out only if different from the Borrower. [↑](#footnote-ref-19)
20. In the event of more than one exporter or of a Consortium or *Raggruppamento Temporaneo di Imprese* (RTI) fill out the relevant fields for each Italian

    entity. [↑](#footnote-ref-20)
21. To be filled out only in presence of a Consortium or a *Raggruppamento Temporaneo di Imprese* (RTI). [↑](#footnote-ref-21)
22. Insert in the case of an international tender. [↑](#footnote-ref-22)
23. PLEASE TICK RELEVANT BOX(ES) [↑](#footnote-ref-23)
24. *In such a case, in addition to the Application Form, the Exporter must provide SACE, in a separate letter, with a legal report indicating (i) the date of the charge/measure/proceedings, the competent authority, the object and involved parties , (ii) evidence of the replacement of top management and/or of all/any involved individuals, (iii) the duty to keep SACE informed on evolution/outcomes of the charge/measure/proceedings in the event of new developments and to provide SACE, upon request, with a copy of the judgment of the Courts, (iv) the information concerning the adopted Code of Ethics and Organizational Model 231.*  [↑](#footnote-ref-24)
25. *In such a case, in addition to the Application Form, the Exporter must provide SACE, in a separate letter, with a legal report indicating (i) the date of the charge/measure/proceedings, the competent authority, the object and involved parties , (ii) evidence of the replacement of top management and/or of all/any involved individuals, (iii) the duty to keep SACE informed on evolution/outcomes of the charge/measure/proceedings in the event of new developments and to provide SACE, upon request, with a copy of the judgment of the Courts, (iv) the information concerning the adopted Code of Ethics and Organizational Model 231.*  [↑](#footnote-ref-25)
26. Multilateral Financial Institutions are the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and the World Bank Group. [↑](#footnote-ref-26)
27. Sanctioned Persons means persons which are subject to an economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed against states, organizations and other person under the foreign and security policy of the European Union. [↑](#footnote-ref-27)
28. PLEASE TICK RELEVANT BOX. [↑](#footnote-ref-28)
29. To insert in case of public or sovereign borrower/guarantor. [↑](#footnote-ref-29)
30. To delete in case of public or sovereign borrower/guarantor. In case of public or sovereign borrower/guarantor, such information will be requested under paragraph above and this provision shall be deleted. [↑](#footnote-ref-30)
31. For examples, indicators of conflict areas are:

    Presence of local or international armed conflict

    Transition from an armed conflict to peace

    Severe or widespread violations of human rights

    Political and social instability or repression

    Institutional weakness or collapse of the national infrastructure. [↑](#footnote-ref-31)
32. Sanctioned Persons means persons which are subject to an economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union. [↑](#footnote-ref-32)
33. Sanction means any economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union [↑](#footnote-ref-33)
34. Sanctioned Persons means persons which are subject to an economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union. [↑](#footnote-ref-34)
35. Sanction means any economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union [↑](#footnote-ref-35)
36. Sanction means any economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union [↑](#footnote-ref-36)
37. PLEASE TICK RELEVANT BOX(ES) [↑](#footnote-ref-37)
38. *In such a case, in addition to the Application Form, the Applicant must issue to SACE, in a separate letter, a legal report indicating (i) the date of the charge/measure/proceedings, the competent authority, the object and parties subject to the charge/measure/proceedings, (ii) the replacement of top management and/or of all/any individuals subject to the charge/measure/proceedings, (iii) the duty to keep SACE informed on evolution/outcomes of the charge/measure/proceedings in the event of new developments and to provide SACE, upon request, a copy of the judgment of the Courts, (iv) the information concerning the adopted Code of Ethics and Organizational Model 231.* [↑](#footnote-ref-38)
39. In such a case, in addition to the Application Form, the Applicant must issue to SACE, in a separate letter, a legal report indicating (i) the date of the charge/measure/proceedings, the competent authority, the object and parties subject to the charge/measure/proceedings, (ii) the replacement of top management and/or of all/any individuals subject to the charge/measure/proceedings, (iii) the duty to keep SACE informed on evolution/outcomes of the charge/measure/proceedings in the event of new developments and to provide SACE, upon request, a copy of the judgment of the Courts, (iv) the information concerning the adopted Code of Ethics and Organizational Model 231. [↑](#footnote-ref-39)
40. Multilateral Financial Institutions are the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and the World Bank Group. [↑](#footnote-ref-40)
41. Sanctioned Persons means persons which are subject to an economic and commercial sanction or any other restrictive measure by the Office of Foreign Assets Control of the US Department of Treasury (OFAC) or any equivalent measure by the European Union, United Kingdom or United Nations, including sanctions imposed on states, organizations and other person under the foreign and security policy of the European Union. [↑](#footnote-ref-41)
42. To be included only in relation to transactions which exceed 5 million euros. [↑](#footnote-ref-42)
43. Applicable only in case the Borrower is a foreign company with a subsidiary in Italy and/or with a permanent establishment in Italy. [↑](#footnote-ref-43)
44. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-44)
45. Le dichiarazioni di cui alla parte 2 devono essere rese dal dichiarante con riferimento a tutti gli ulteriori soggetti che sono sottoposti alla verifica antimafia ai sensi dell’art. 85 del decreto legislativo 6 settembre 2011, n. 159, commi 1, 2, 2-bis e 2-ter. [↑](#footnote-ref-45)
46. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-46)
47. La dichiarazione è sostitutiva di quella prevista in Allegato A), in tutti i casi in cui il legale rappresentante non effettui la dichiarazione per tutti i soggetti di cui all’art. 85, commi 1, 2, 2bis e 2 ter del .d. lgs. 6 settembre 2011, n. 159. [↑](#footnote-ref-47)
48. Le dichiarazioni devono essere rese da ciascun soggetto sottoposto alla verifica antimafia, ai sensi dell’art. 85, commi 1, 2, 2-bis e 2-ter. del d. lgs. 6 settembre 2011, n. 159. [↑](#footnote-ref-48)
49. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-49)
50. La dichiarazione è sostitutiva di quella prevista in Allegato A) e B). [↑](#footnote-ref-50)
51. Ad es. mancato rinnovo dell’iscrizione nell'elenco dei fornitori, prestatori di servizi ed esecutori di lavori di cui all’art. 1, commi 52 e seguenti, della legge 6 novembre 2012, n. 190. [↑](#footnote-ref-51)