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|  | **Connecting Europe Facility 2014-2020**  **Transport CallS for proposalS 2015** | | | |
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| **APPLICATION FORM** | | | | |
| **PART B** | | | | |
| **Administrative information** | | | | |
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| **Title of the proposed action** | | |  | |
|  | | |  | |
|  | | |  | |
| **TENtec number** | | |  | |
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| **Administrative information on applicants** |

1. Legal Entity form (LEF)

All applicants (except EU Member States, regions or provinces, and neighbouring / third countries), and all entities designated as affiliated entities (see definition in the Guide for Applicants) must provide a completed Legal Entities form, available in all EU languages at the following link:

<http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm>.

Upload the completed LEF in the TENtec eSubmission module, along with any additional documents referred to in the form (e.g. resolution, law, register(s) of companies, official gazette, VAT registration).

1. **Grounds for exclusion**

All applicants (except EU Member States, regions or provinces, and neighbouring / third countries) and their designated affiliated entities must complete and sign the declaration forms (Annex B-I and Annex B-II as applicable).

1. Financial identification form

All applicants must provide the official Financial Identification form, available in all EU languages at the following link:

<http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm>.

Upload the completed and stamped Financial Identification form in the TENtec eSubmission module, along with any additional documents referred to in the form (e.g. recent bank statement).

1. **Requirements on the financial and operational capacity of the applicant**

**Single-applicant proposals**

Please select the legal status of the applicant (for definitions, see the Guide for Applicants):

|  |  |  |
| --- | --- | --- |
|  | (1) | Member State |
|  | (2) | Neighbouring / Third country |
|  | (3) | Public sector undertaking or body established in the EU |
|  | (4) | Private sector undertaking of body established in the EU |
|  | (5) | Public entity established outside the EU |
|  | (6) | Private entity established outside the EU |
|  | (7) | International organisation[[1]](#footnote-1) |
|  | (8) | European Economic Interest Grouping (EEIG) |
|  | (9) | Joint undertaking |

Applicants which fall under categories 4, 5, 6, and 9 (which qualify as private undertakings or bodies) and applicants that fall under category 8 which are not 100% owned by public body(ies) must prove that they have the financial and operational capacity to carry out the proposed Action and provide the following supporting documents with the application:

Financial capacity:

* Financial capacity check form available on the call page, accessible via the following link: <https://ec.europa.eu/inea/connecting-europe-facility/cef-transport/apply-funding/2015-cef-transport-calls-proposals>; AND
* Financial statements (i.e. balance sheet, income statement and cash flow statement) for the last financial year for which the accounts were closed, OR

A letter of support in case the applicant has not been operating for one year.

For the financial documents, only those reference documents containing the data used to complete the financial capacity check form should be submitted. It is important that there is a clear link between the figures entered in the financial capacity form and the submitted supporting documents. One possibility to ensure this is to add the electronic Excel table indicating the aggregated amounts.

Operational capacity:

* Appropriate documents attesting that capacity (e.g. organisations' activity report, proof of the experience in carrying out infrastructure actions).

**Multi-applicant proposals**

Multi-applicant proposals must follow the instructions provided above on the financial and operational capacity, for each separate applicant as applicable.

In addition, complete the table below, adding rows as needed.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Applicant name** | **Applicant legal status**  **(to be chosen among the categories (1) to (9) listed above)** | **Does this applicant need to provide proof of financial/operational capacity (see exceptions above)? (Yes/No)** | **Supporting documentation provided? (Yes/No)** | |
| **Financial capacity** | **Operational capacity** |
|  |  |  |  |  |
|  |  |  |  |  |
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In case one or more required supporting documents are not submitted with the application, please explain:

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**Designated affiliated entities**

In the event that the designated affiliated entities will be the only ones implementing the proposed Action, they must demonstrate that they have the financial and operational capacity to carry out the proposed Action.

Documents demonstrating the financial and operational capacity do not need to be submitted at the time of the application but will be requested during grant agreement preparation. If unsatisfactory, the affiliated entity concerned may not be included in the grant agreement.

Complete the table below, adding rows as needed.

|  |  |  |
| --- | --- | --- |
| **Applicant(s)** | **Designated affiliated entity(ies)** | **Does/ will the affiliated entity fully implement the proposed Action?**  **Yes/No** |
|  |  |  |
|  |  |  |
|  |  |  |

1. **Requirements for applicants that are neighbouring / third countries or entities established in neighbouring / third countries**

Applications submitted by neighbouring / third countries and entities established in neighbouring / third countries must include:

* The agreement of a Member State concerned by the proposed Action (application form part A2.3)
* *(Only for entities established in neighbouring / third countries):* Proof of the support of the neighbouring / third country authorities concerned (Annex B-III)
* A declaration on why the participation of the applicant is necessary and/or indispensable (Annex B-IV)

**All required supporting documents must be duly filled in, signed and stamped if relevant, and uploaded into the TENtec eSubmission module.**

**ANNEX B-I**

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| **DECLARATION FORM OF PUBLIC OR PRIVATE UNDERTAKINGS OR BODIES APPLYING FOR EU FINANCIAL AID** |

In accordance with Article 131 of Regulation (EU, EURATOM) No 966/2012[[2]](#footnote-2) on the applications for grants, and in accordance with Commission delegated Regulation No 1268/2012[[3]](#footnote-3), I declare on my honour:

I. that the body or undertaking I am representing is not in any of the following situations which would exclude it from participating in a grant award procedure:

a) it is not bankrupt, being wound up or having its affairs administered by the courts, it is not entered into an arrangement with creditors, it has not suspended business activities, is subject of proceedings concerning those matters, and it is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) it or persons having powers of representation, decision making or control over it, has/have not been convicted of an offence concerning its/their professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;

c) it has not been found guilty of grave professional misconduct proven by any means which can be justified including by decisions of the EIB and international organisations;

d) it has not failed to fulfil obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the Member State which is the beneficiary of the financial support or those of the state where the action is to be executed;

e) it or persons having powers of representation, decision making or control over it, has/have 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 EU's financial interests;

The cases referred to in point e) cover:

i) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995[[4]](#footnote-4);

ii) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997[[5]](#footnote-5);

iii) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council[[6]](#footnote-6);

iv) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC[[7]](#footnote-7).

f) it is currently not subject to an administrative penalty referred to in Art: 109 of Regulation No 966/2012;

g) it is not subject to a conflict of interest during the grant award procedure;

h) it is not guilty of mispresentation in supplying the information for the procedure or of failure to supply this information required during the grant award procedure;

II. that the body or undertaking I am representing undertakes to provide, as soon as possible, the documents referred to in Articles 143 and 197 of Commission delegated Regulation No 1268/2012 at the request of the European Commission, failing which the grant may not be awarded in accordance with Article 131 of Regulation No 966/2012;

III. that this application for funding is not the subject of any other application for funding under the EU budget.

IV. If applicable (in case the applicant is a private body or undertaking): In accordance with Article 196 of Commission delegated Regulation No 1268/2012, I declare on my honour that the private body or undertaking I am representing has the financial and operational capacity to complete the action proposed in this application.

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| --- | --- | --- | --- |
| Done in: |  | on |  |
| Name: |  | | |
| Function: |  | | |
| Name and address of the body or undertaking: | | | |
|  | | | |
| Signature: |  | | |

**ANNEX B-II**

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| **DECLARATION FORM OF AFFILIATED ENTITIES** **DESIGNATED BY UNDERTAKINGS OR BODIES APPLYING FOR EU FINANCIAL AID** |

In accordance with Articles 122(2) and 131 of Regulation (EU, EURATOM) No 966/2012[[8]](#footnote-8), and in accordance with Commission Regulation No 1268/2012[[9]](#footnote-9), I declare on my honour:

I. that the body or undertaking I am representing is affiliated to the following undertaking or body applying for EU financial aid:       ("the applicant") in the meaning of Article 122(2) of Regulation (EU, EURATOM) No 966/2012, and

that the body or undertaking I am representing undertakes to provide, as soon as possible, the necessary supporting documents that may be requested by the European Commission to prove the link it has with the applicant, failing which it may not be considered an affiliated entity should the application be retained for funding.

II. that the body or undertaking I am representing is not in any of the following situations which would exclude it from participating in a grant award procedure:

a) it is not bankrupt, being wound up or having its affairs administered by the courts, it is not entered into an arrangement with creditors, it has not suspended business activities, is subject of proceedings concerning those matters, and it is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) it or persons having powers of representation, decision making or control over it, has/have not been convicted of an offence concerning its/their professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;

c) it has not been found guilty of grave professional misconduct proven by any means which can be justified including by decisions of the EIB and international organisations;

d) it has not failed to fulfil obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the Member State which is the beneficiary of the financial support or those of the state where the action is to be executed;

e) it or persons having powers of representation, decision making or control over it, has/have 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 Union's financial interests;

The cases referred to in point e) cover:

i) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995[[10]](#footnote-10);

ii) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997[[11]](#footnote-11);

iii) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council[[12]](#footnote-12);

iv) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC[[13]](#footnote-13).

f) it is currently not subject to an administrative penalty referred to in Art: 109 of Regulation No 966/2012;

g) it is not subject to a conflict of interest during the grant award procedure;

h) it is not guilty of mispresentation in supplying the information for the procedure or of failure to supply this information required during the grant award procedure;

III. that the body or undertaking I am representing undertakes to provide, as soon as possible, the documents referred to in Articles 143 and 197 of Commission delegated Regulation No 1268/2012 at the request of the European Commission, failing which it may not be considered as affiliated entity in the grant Decision and may not receive EU financial aid in accordance with Article 131 of Regulation No 966/2012;

IV. that the body or undertaking I am representing does and will not receive any other EU financial aid for the Action subject to this application for funding under the EU budget;

V. (if applicable - in case the designated affiliated entity is a private body or undertaking): In accordance with Article 196 of Commission delegated Regulation No 1268/2012, I declare on my honour that the body or undertaking I am representing has the financial and operational capacity to complete the action proposed in this application and undertakes to provide any supporting documents the European Commission will require in this respect should this application be retained for funding.

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| Done in: |  | on |  |
| Name: |  | | |
| Function: |  | | |
| Name and address of the body or undertaking: | | | |
|  | | | |
| Signature: |  | | |

**ANNEX B-III**

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| ***support of the neighbouring / third country government concerned by the proposed Action*** |

Complete the form below if the application includes participation of an entity established in a neighbouring / third country on the support given to this proposal by the neighbouring /third country government concerned by the proposed Action.

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| **Administrative data** |

|  |  |
| --- | --- |
| Legal name of neighbouring /third country Ministry |  |
| Legal address | |
| Street |  |
| City |  |
| Postal code |  |
| Country |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Representative authorized to sign this application** | | | |
| Family name(s) |  | First name(s) |  | |
| Function |  | | |
|  | | | |
| **Is the address different from the legal address above? YES  NO**  If YES, please include other address below | | | |
| Street |  | | |
| City |  | | |
| Postal code |  | | |
| Country |  | | |
| Phone |  | | |
| Fax |  | | |
| E-mail |  | | |

|  |  |
| --- | --- |
| **Date** |  |
| **Stamp of the relevant Ministry + signature** |  |

**ANNEX B-IV**

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| ***participation of a neighbouring / third country applicant in accordance with Article 9(4) of the CEF Regulation*** |

The section below on the participation of the neighbouring /third country applicant pursuant to Article 9(4) of the CEF Regulation must be completed by the applicant.

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Please provide explanations why the participation of the neighbouring /third country applicant is necessary and/or indispensable in order to achieve the objectives of the project of common interest to which the proposal relates:

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1. According to article 43 (1) of the Commission Delegated Regulation (EU) No 1268/2012 (on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union), international organisations are: (a) international public sector organisations set up by intergovernmental agreements, and specialised agencies set up by such organisations; (b) the International Committee of the Red Cross (ICRC);(c) the International Federation of National Red Cross and Red Crescent Societies; (d) other non-profit organisations assimilated to international organisations by a Commission decision. [↑](#footnote-ref-1)
2. Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p.1) [↑](#footnote-ref-2)
3. Commission delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2013, p.1) [↑](#footnote-ref-3)
4. OJ C 316, 27.11.1995, p. 48 [↑](#footnote-ref-4)
5. OJ C 195, 25.6.1997, p. 1 [↑](#footnote-ref-5)
6. OJ L 351, 29.12.1998, p. 1. Joint action of 21 December 1998 on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union [↑](#footnote-ref-6)
7. OJ L 309, 25.11.2005, p. 15-36. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Text with EEA relevance) [↑](#footnote-ref-7)
8. Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p.1) [↑](#footnote-ref-8)
9. Commission delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2013, p.1) [↑](#footnote-ref-9)
10. OJ C 316, 27.11.1995, p. 48 [↑](#footnote-ref-10)
11. OJ C 195, 25.6.1997, p. 1 [↑](#footnote-ref-11)
12. OJ L 351, 29.12.1998, p. 1. Joint action of 21 December 1998 on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union [↑](#footnote-ref-12)
13. OJ L 309, 25.11.2005, p. 15-36. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Text with EEA relevance) [↑](#footnote-ref-13)