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ANNEX V
Communication of information by implementing authorities or bodies

Liaison point

E-mail:

Fax:

Address:

NOTE TO MR/MRS

Accounting Officer of the Commission

Subject: Transmission of information by an implementing authority or body pursuant to Article 95 of the Financial Regulation

- ☐ Please find enclosed information on a third party which is in one of the situations referred to in Article 93(1) point (e) of the Financial Regulation and whose conduct has been detrimental to the Communities' financial interest.
- ☐ Please find enclosed information on a third party for which information was already submitted that needs to be amended. The present note replaces the information initially transmitted on *[insert date and reference to initial note]*.
- ☐ The information transmitted on *[insert date and reference to initial note]* is withdrawn.

Date, signature

Enclosure: Transmission of information on a third party pursuant to Article 95(2) of the Financial Regulation

[Place, date]

Transmission of information on a third party pursuant to Article 95(2) of the Financial Regulation

Name and address of the implementing authority or body:

.....

Directorate-General responsible of the Commission: *(choose one of the following DG)*

- ☐ Regional Policy ☐ Agriculture and Rural Development ☐ Maritime Affairs and Fisheries
☐ Employment, Social Affairs and Equal Opportunities ☐ Justice, Freedom and Security
☐ Education and Culture ☐ EuropeAid ☐ Enlargement ☐ External relations
☐ Other
☐ Not known. *(please explain why no DG is directly competent)*

.....

☐ **I transmit information on a third party pursuant to Article 95(2) of the Financial Regulation¹**

☐ **I withdraw information on a third party² transmitted on**

1) Information on the entity that has been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interest (Article 93(1) point e of the Financial Regulation):

Name (and, where the person is a natural person, given name) of the entity:

.....

Legal form:

Name, given name of the person(s) with powers of representation:

.....

Address (if legal person, address of the headquarters): street/no./postcode/place/country

.....

.....

¹ In case of an amendment of information, all sections need to be filled in.

² In this case only section 1 needs to be filled in, no enclosure needs to be added.

2) Type of conviction:

☐ **fraud** (as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995 (OJ C 316, 27.11.1995, p. 48));

☐ **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, drawn up by the Council Act of 26 May 1997 (OJ C 195, 25.6.1997, p. 1));

☐ **involvement in a criminal organisation** (as defined in Article 2(1) of Joint Action 98/733/JHA of the Council (OJ L 351, 29.12.1998, p. 1));

☐ **money laundering** (as defined in Article 1 of Council Directive 91/308/EEC (OJ L 166, 28.6.1991, p. 77)).

3) Denomination of the court that rendered the judgment which has the force of *res judicata*:

.....

4) Date of the judgment which has the force of *res judicata*: DD/MM/YYYY: .../.../...

.....

5) Duration of the period of exclusion from procurement procedures (where applicable):

Exclusion until DD/MM/YYYY: ... / ... /

I certify that the information communicated was established and transmitted in accordance with the principles set out in Directive 95/46/EC of the European Parliament and of the Council concerning the protection of personal data.

For [name of the implementing authority or body]

[Signature of the responsible person of the implementing authority or body from which the information originates.]

Enclosure: Copy of the judgment which has the force of *res judicata*