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To:

European Investment Fund

Re: InvestBG Equity Instrument, Call for EoI No. JER-009/10

Attention: Mandate Management – Equity

37B avenue J.F. Kennedy

L-2968 Luxembourg

# EXPRESSION OF INTEREST

|  |  |  |
| --- | --- | --- |
| in the context of the InvestBG Equity Instrument, JER-009/10 | |  |
|  | |  |
| Applicant submitting the Expression of Interest: | \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_  (company name, registration number) | |

Dear Sir or Madam,

Herewith we are submitting our Expression of Interest on behalf of [Applicant]] in response to the Open Call for Expression of Interest in the framework of the Facility implemented by the EIF**.** Capitalised expressions utilised herein shall have the meaning attributed to them in the above mentioned Call for Expression of Interest.

The undersigned duly authorised to represent the [Applicant], by signing this form certifies/certify and declare(s) that the information contained in this Expression of Interest and its Appendices is complete and correct in all its elements.

The undersigned duly authorised to represent the [Applicant], by signing this form certifies and declares to have read the EIF Anti-Fraud Policy and declares not to have made nor to make any offer of any type whatsoever from which an advantage can be derived under the Guarantee Agreement and not to have granted nor to grant, not to have sought nor to seek, not to have attempted nor to attempt to obtain, and not to have accepted nor to accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to signing of the Guarantee Agreement.

The undersigned, duly authorized to represent the [Applicant], by signing this form certifies and declares that each of the [Applicant] (i) does not perform illegal activities according to the applicable legislation in the countries of its establishment.

For the purpose of the EIF Transparency Policy, as further specified in Appendix 4, and subject to the approval of the relevant operation by the EIF Board of Directors, the [Applicant], by signing this form:

[Please tick as appropriate]

 confirms that the [Applicant] agree(s) with the disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes

OR

 declares that (i) the [Applicant] request(s) the non-disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes and (ii) such disclosure would undermine the protection of commercial interests[[1]](#footnote-2) relevant to the operation.

Yours sincerely,

Signature(s): Stamp of the Applicant (if applicable):

Name and position in capitals:

Applicant’s name

Place: Date (day/month/year):

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Appendices

Appendix 1 Applicant/Participating Entity Identification

Appendix 2 Declaration of Honor of Applicant/Participating Entity

Appendix 1 to the Expression of Interest

APPLICANT/PARTICIPATING ENTITY IDENTIFICATION**[[2]](#footnote-3)**

|  |  |
| --- | --- |
| INFORMATION REQUIRED | |
| APPLYING FOR: | Primary Fund Window |
| Co-Investing Window |
| APPLICANT NAME: |  |
| NAME OF THE FUND: |  |
| PRIMARY INVESTMENT FOCUS: | VENTURE CAPITAL  PRIVATE EQUITY |
| TEAM LOCATION: |  |
| GEOGRAHIC FOCUS: |  |
| MIN. FUND SIZE |  |
| TARGET FUND SIZE |  |
| CONTACT DETAILS | Title: Mr/Mrs/other (delete or complete as appropriate)  Surname:  Forename(s):  Function:  Address:  Telephone:  Email: |

Appendix 2 to the Expression of Interest

DECLARATION OF HONOUR OF APPLICANT/PARTICIPATING ENTITY**[[3]](#footnote-4)**

The undersigned ………………………………………………………, representing:

|  |
| --- |
| (only for legal persons) the following legal person: |
| Full official name:  Official legal form:  Statutory registration number:  Full official address:  VAT registration number: |

|  |  |  |
| --- | --- | --- |
| Declares whether the above-mentioned person is in one of the following situations under Union or Bulgarian law as applicable: | | |
| Situation of exclusion concerning the person | YES | NO |
| it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations; |  |  |
| it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract; |  |  |
| it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibity where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following: |  | |
| (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract; |  |  |
| (ii) entering into agreement with other persons with the aim of distorting competition; |  |  |
| (iii) violating intellectual property rights; |  |  |
| (iv) attempting to influence the decision-making process of the contracting authority during the award procedure; |  |  |
| (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure; |  |  |
| it has been established by a final judgement that the person is guilty of any of the following: |  | |
| (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995; |  |  |
| (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract; |  |  |
| (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; |  |  |
| iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; |  |  |
| (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision; |  |  |
| (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council; |  |  |
| the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors; |  |  |
| it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95; |  |  |
| it has been established by a final judgment or final administrative decision that the person or entity has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business. |  |  |

Full name Date Signature

1. Including by reason of such information being covered by a confidentiality agreement. [↑](#footnote-ref-2)
2. In case of a joint application, this form shall be completed separately by the Applicant and Participating Entities. [↑](#footnote-ref-3)
3. In case of a joint application, this declaration shall be completed separately by each of the Applicant and the Participating Entities. [↑](#footnote-ref-4)