

**Declaration of confidentiality and absence of conflict of interests**Reference: **Open call for tenders/proposals No EEA/...**

Title of procedure: \_\_\_\_\_

I, the undersigned, \_\_\_\_\_, having been appointed [tick as appropriate]

- member of the opening committee
- member of the evaluation committee
- to assess compliance with exclusion and/or selection criteria
- to assist the evaluation committee as external expert

for the above-mentioned procedure, declare that I am aware of Article 35 of the EEA Financial Regulation, which states that:

*“All financial actors within the meaning of Chapter 2 of this Title shall be prohibited from taking any measures of budget implementation which may bring their own interests into conflict with those of the European Environment Agency. Should such a case arise, the actor in question must refrain from such measures and refer the matter to the competent authority.*

*There is a conflict of interests where the impartial and objective exercise of the functions of an actor in the implementation of the budget or an internal auditor is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with the beneficiary.*

*The competent authority referred to in paragraph 1 shall be the immediate superior of the member of staff concerned. If the member of staff is the Executive Director, the competent authority shall be the management board.”*

I hereby declare that, to my knowledge, I have no conflict of interest with the operators who have applied to participate in/submitted a tender/a proposal for this procedure, including persons or members of a *consortium*, or subcontractors proposed.

I confirm that, if I discover during the opening and/or evaluation that such a conflict exists, I will declare it immediately and resign from the committee.

I also confirm that I will keep all matters entrusted to me confidential. I will not communicate outside the committee any confidential information that is revealed to me or that I have discovered or any information relating to the views expressed during the evaluation. I will not make any adverse use of information given to me.

Furthermore, I confirm that I will process the personal data supplied by the applicant/candidate/tenderer only for the purposes for which they are transmitted and that I will not process data that are irrelevant or excessive to what is requested for the purpose of the award procedure in compliance with Articles 7(3) and 4(1) (c) of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, and the obligation of confidentiality provided in Article 21 of that Regulation.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Declaration of confidentiality and absence of conflict of interests**

I, the undersigned, confirm that I have read, understood and accepted the Code of conduct as an independent expert appointed as evaluator established in Annex I to the appointment letter [insert full reference] related to the performance of the evaluation tasks within the framework of the call for tenders/proposals [insert full reference] (Closing date xx.xx.xx, OJ S XXX of xx.xx.xx).

I hereby declare that I am aware that as independent expert appointed as evaluator I shall take all necessary measures to prevent any situation of conflict of interests in the performance of the evaluation tasks entrusted to me.

There is a conflict of interests where the impartial and objective exercise of the tasks of an evaluator in the evaluation of tenders is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a tenderer.

*(Please tick whichever is applicable)*

I declare that, to my knowledge, I am neither directly (as tenderer) nor indirectly (as sub-contractor) involved in any tender/application submitted for evaluation under the call for tenders/proposals [insert full reference].

I declare that the organisation(s) I am working for, to my knowledge, is/are neither directly (as tenderer/applicant) nor indirectly (as subcontractor) involved in any tender/application submitted for evaluation under the call for tenders/proposals [insert full reference].

I declare that my participation in the evaluation of the following tenders/applications could create a conflict of interests:

Tenderer's/Applicants name	No	Reason(s)

I hereby declare that I will undertake to inform the EEA immediately if I discover any conflict of interests, direct or indirect, with any tender/application that I am asked to comment on or which is the subject of discussion in any evaluation meeting at which I am present.

I also declare that I will not reveal the fact that I am participating in the evaluation process to other parties and I will not reveal any detail of the evaluation process and its outcomes and of any tender/application submitted for evaluation without the prior express written approval of the EEA. In case of evaluation carried out outside the EEA, I understand that I will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent and for returning, erasing or destroying all confidential documents or files upon completing the evaluation, unless otherwise instructed.

Furthermore, I confirm that I will process the personal data supplied by the tenderer/applicant only for the purposes for which they are transmitted and that I will not process data that are irrelevant or excessive to what is requested for the purpose of the award procedure in compliance with Articles 7(3) and 4(1) (c) of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data and the obligation of confidentiality provided in Article 21 of that Regulation.

Date

Name

Signature