**Annex 2a**

**DECLARATION OF THE LEGAL REPRESENTATIVE RELATIVE TO FINANCIAL TRACEABILITY AND**

**TAX COMPLIANCE**

(PURSUANT TO DPR 28/12/2000 no.445, arT. 46-47)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| The undersigned |  | | | Tax Code | | |  |
| Born in |  | | | | on | |  |
| As the legal representative for | | |  | | | | |
| With registered office in | |  | | address | |  | |
| With operating headquarters in | | *(do not fill in if the same as registered office)* | | address | | *(do not fill in if the same as registered office)* | |
| Tax Code | |  | | VAT number | |  | |
| CEM | |  | |

- Whose company is the applicant for aid relating to the audiovisual project \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for aid was presented \_\_\_\_\_\_\_\_\_ in the context of the “**Apulia Film Fund** ” Public Notice

-Aware of the penal sanctions that incur in the event of a false declaration or a declaration containing data no longer true, as well as the forfeiture of any benefits that may be obtained if the disbursing Administration, following a check, finds that the content of the aforementioned declaration is not true, as foreseen from the articles 75 and 76 of the D.P.R. No. 445/2000

**D E C L A R E S**

In order to be able to fulfil the obligations of traceability of financial movements provided for by Law 136/2010 and its subsequent amendments, the following identifying details of the bank account(s), payable to the applicant company, dedicated to payments related to the aforementioned audiovisual project

|  |  |
| --- | --- |
| **IBAN:** |  |

**FURTHERMORE DECLARES**

1. To be in good standing in payments and social security, welfare and insurance obligations, as well as in all other obligations provided for by the regulations in force with the interested Bodies (INPS, INAIL, etc)
2. To commit to using, for all transactions relating to the aforementioned contract (including subcontracting and transactions to its subcontractors) the dedicated bank account(s), which will be communicated, including any changes, to the contracting authority, pursuant to art. 3, paragraph 7 of Law no. 136/2010 and subsequent amendments
3. To be aware of the obligations imposed on him/her by Law No. 136/2010 and to note that failure to comply with the obligations of traceability of financial flows, in addition to specific penalties, implies the absolute nullity of the contract, as well as determines the termination of the contract right in the case of non-use of bank or postal transfer or other instruments suitable to allow full traceability of operations
4. To commit to inserting, under penalty of nullity, in any contracts signed with subcontractors and subcontracting parties, a specific clause with which each of them assumes the traceability requirements of cash flows referred to in the above-mentioned law in accordance with that reported in the following form
5. To commit to giving immediate communication to the Apulia Film Commission Foundation and to the Prefecture-Territorial Office of the Government of the Province of Bari, if it has knowledge of the failure of its counterpart towards the obligations of financial traceability pursuant to art. 3 Law No. 136/2010
6. To commit to reporting the CUP code assigned to the project in each individual work or supplier contract and / or accounting document, in all communications and operations relating to contract management.

Place and date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digital document digitally signed in accordance with the consolidated Presidential Decree of December 28th 2000, No. 445 of Legislative Decree No. 82 and its related rules, of 7 March 2005, which replaces paper text and handwritten signature*

**ANNEX 2b**

**SELF-CERTIFIcATION RELATIVE TO MEETING ELIGIBILITY REQUIREMENTS**

(PURSUANT TO DPR 28/12/2000 no.445, arT. 46-47)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| The undersigned |  | | | Tax Code | | |  |
| Born in |  | | | | on | |  |
| As the legal representative for | | |  | | | | |
| With registered office in | |  | | address | |  | |
| With operating headquarters in | | *(do not fill in if the same as registered office)* | | address | | *(do not fill in if the same as registered office)* | |
| Tax Code | |  | | VAT number | |  | |
| CEM | |  | |

- Whose company is the applicant for aid relating to the audiovisual project \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for aid was presented \_\_\_\_\_\_\_\_\_ in the context of the “**Apulia Film Fund**” Public Notice

- Aware of the penal sanctions that incur in the event of a false declaration or a declaration containing data no longer true, as well as the forfeiture of any benefits that may be obtained if the disbursing Administration, following a check, finds that the content of the aforementioned declaration is not true, as foreseen from the articles 75 and 76 of the D.P.R. No. 445/2000

**D E C L A R E S**

1. That the enterprise is a micro, small or medium-sized *[eliminate the possibility that does not apply*] enterprise, according to the parameters defined by the Decree of the Ministry of Productive Activities of April 18 2005 for the compliance to selection criteria for SMEs to EU regulations (European Commission Recommendation 2003/361 / EC)
2. To be the producer of the audiovisual work presented according to the definition of the Notice
3. That the enterprise has been established for 24 months
4. In the case of companies established in the form of a joint stock company, having a minimum fully paid-up share capital of not less than EUR 40,000.00. In the case of companies established in the form of partnerships, having a net worth of not less than EUR 40,000.00. These limits are reduced to the amount of EUR 10,000.00 in reference to the production of documentaries and short films (projects relating to categories C and E) *[eliminate the possibility that does not apply*]
5. That the enterprise is registered with the Register of Companies or an equivalent register in a Member State of the European Union
6. That the enterprise operates mainly in the field of "Motion picture, video and television program production activities" (ATECO code 2007 J 59.11, code NACE J 59.11 or equivalent outside Europe)
7. Not to be an enterprise in difficulty according to the Community definition (Article 2 paragraph 1 point 18 of the General Block Exemption Regulation)
8. Not to be subject to bankruptcy proceedings (such as business failure, receivership or special administration or compulsory administrative liquidation), or liquidation, dissolution of the company or composition with creditors without business continuity or debt restructuring plan
9. That the enterprise operates in compliance with the provisions of national and territorial collective bargaining agreements and social security obligations, in accordance with Regional Law No. 28 of 26 October 2006
10. Not to be in conditions which do not allow the disbursement of aid, pursuant to Anti-Mafia Legislation
11. Not to be in a position of having received aid and subsequently not paid it back or having deposited it into a blocked account, which the authorities are required to recover by the implementation of a recovery decision
12. That the enterprise has not been the recipient, in the 6 years preceding the date of communication of admission to the benefits, of revocation orders with which the total restitution of public benefits has been arranged, with the exception of those deriving from revocation measures or waiver undertaken by the enterprise itself
13. Not to have started work on the audiovisual work for which the aid is requested before submitting the application, with the exception of preparatory work, as stated in the Notice
14. Not to be the recipients of interdictory sanctions pursuant to Legislative Decree 231/2001, article 9, paragraph 2, letter d) or of any other sanction that involves the prohibition of contracting with the Public Administration.
15. Not to transfer for any reason the subsidy granted by the aid referred to in the aforementioned Notice to a different subject, by virtue of any contract or obligation.

Place and date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digital document digitally signed in accordance with the consolidated Presidential Decree of December 28th 2000, No. 445 of Legislative Decree No. 82 and its related rules, of 7 March 2005, which replaces paper text and handwritten signature*

**Annex 2c**

**SELF-CERTIFICATION OF AID CUMULATION**

(PURSUANT TO DPR 28/12/2000 no.445, arT. 46-47)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| The undersigned |  | | | Tax Code | | |  |
| Born in |  | | | | on | |  |
| As the legal representative for | | |  | | | | |
| With registered office in | |  | | address | |  | |
| With operating headquarters in | | *(do not fill in if the same as registered office)* | | address | | *(do not fill in if the same as registered office)* | |
| Tax Code | |  | | VAT number | |  | |
| CEM | |  | |

- Whose company is the applicant for aid relating to the audiovisual project \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for aid was presented \_\_\_\_\_\_\_\_\_ in the context of the “**Apulia Film Fund** ” Public Notice

- Aware of the penal sanctions that incur in the event of a false declaration or a declaration containing data no longer true, as well as the forfeiture of any benefits that may be obtained if the disbursing Administration, following a check, finds that the content of the aforementioned declaration is not true, as foreseen from the articles 75 and 76 of the D.P.R. No. 445/2000

- In order to receive the subsidy of the aforementioned Public Notice, considered as aid in favour of audiovisual works, in accordance with art. 54 of EU Regulation No. 651/2014 and of the Regione Puglia Regulation No. 6 of 26/02/2015 (Apulia regional Regulation for exempted aid: aid schemes for audiovisual works)

**D E C L A R E S**

That the aforementioned enterprise:

*(check the box that applies )*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Has not been the beneficiary, during the previous two fiscal years and the current financial year, for the same project submitted, of other de minimis State aid and/or contributions | | | |
|  | Has been the beneficiary, during the two previous financial years and the current financial year, for the same project submitted, of other de minimis State aid and/or contributions, based on types of eligible expenses other than those eligible for the Notice | | | |
|  | Has been the beneficiary, during the two previous financial years and the current financial year, for the same project submitted, the following other aid contributions, including de minimis aid, for the same eligible expenses as the Notice | | | |
|  | **Year of concession** | **Institution** | **Amount** | **Types of eligible expenses[[1]](#footnote-1)** |
|  |  |  |  |  |
|  |  |  |  |  |

Furthermore declares to be aware of the provisions of art. 54 of EU Regulation No. 651/2014, in art. 9 of the Regione Puglia Regulation No. 6 of 26/02/2015 and art. 9 of the Notice.

Place and date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digital document digitally signed in accordance with the consolidated Presidential Decree of December 28th 2000, No. 445 of Legislative Decree No. 82 and its related rules, of 7 March 2005, which replaces paper text and handwritten***Annex 2d**

**SELF-CERTIFICATION ISSUED BY THE PARTIES REFERRED TO IN ART. 85 of Legislative Decree No. 159/2011 and its subsequent amendments AND THEIR COHABITING RELATIVES FOR THE PURPOSES OF ANTI-MAFIA INFORMATION**

(PURSUANT TO DPR 28/12/2000 no.445, arT. 46-47)

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ born in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Prov. \_\_\_\_ on \_\_\_\_\_\_\_\_\_\_ domiciled in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ No. \_\_ Tax Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the company \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Aware of the penal sanctions in case of false declarations and the consequent forfeiture of any benefits (pursuant to articles 75 and 76 of the Decree 445/2000) under their own responsibility**

**DECLARES**

Pursuant to art. 85, paragraph 3 of Legislative Decree 159/2011 to have the following cohabiting relatives of legal age \*\*:

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Tax Code\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Place and date of birth \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Residence (Address, municipality and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_Tax Code\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Place and date of birth \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Residence (Address, municipality and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_Tax Code\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Place and date of birth \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Residence (Address, municipality and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned also declares to be informed, in accordance with EU Regulation 2016/679, that the personal data collected will be processed, even with IT tools, exclusively within the scope of the procedure for which this declaration is made.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Date \_\_\_\_\_\_\_\_\_\_

legible signature of the declarant (\*)

**N.B .: This declaration must be compiled exclusively in Word format or in block capitals**

This declaration does not require authentication of the signature and replaces to all effects the normal certifications required or intended for a public administration as well as the operators of public services and individuals that help you.

The Administration reserves the right to carry out checks, even randomly, on the veracity of the declarations (Article 71, paragraph 1, D.P.R. 445/2000).

  In case of a false declaration, the citizen **will be reported to the judicial authority**.

(\*) The self-certification must be compiled by all the subjects referred to in art. 85 of Legislative Decree 159/2011.

(\*\*) For "**cohabiting relatives**" it is meant "**whoever lives**" with the subjects referred to in art. 85 of Legislative Decree 159/2011, provided they are of legal age.

**PARTIES REFERRED TO IN ART. 85 of Legislative Decree. 159/2011 and its subsequent amendments**

|  |  |
| --- | --- |
| Sole proprietorship | 1. 1. Business owner 2. 2. technical director (if applicable) 3. 3. cohabiting family members of the subjects referred to in points 1 and 2 |
| Joint-stock companies or cooperatives | 1. Legal representative 2. Administrators 3. technical director (if applicable) 4. members of the board of statutory auditors 5. majority shareholder (in companies with a number of shareholders equal to or less than 4) 6. shareholder (in the case of a single-member company) 7. members of the board of statutory auditors or, in the cases contemplated by art. 2477 of the Civil Code, to the mayor, as well as to the subjects who carry out the supervisory tasks referred to in art. 6, paragraph 1, letter b) of Legislative Decree 231/2001; 8. cohabiting family members of the subjects referred to in points 1, 2, 3, 4, 5, 6 and 7 |
| Simple and general partnership | 1. all shareholders 2. technical director (if applicable) 3. members of the board of statutory auditors (if any) 4. cohabiting family members of the subjects referred to in points 1, 2 and 3 |
| Limited partnership | 1. general partners 2. technical director (if applicable) 3. members of the board of statutory auditors (if any) 4. cohabiting family members of the subjects referred to in points 1, 2 and 3 |
| Foreign company with secondary office in Italy | 1. those who permanently represent them in Italy 2. technical director (if applicable) 3. members of the board of statutory auditors (if any) 4. cohabiting family members of the subjects referred to in points 1, 2 and 3 |
| Foreign companies without secondary offices with permanent representation in Italy | 1. Those who exercise powers of administration, representation or management of the company 2. cohabiting family members of the subjects referred to in point 1 |
| Personal partnerships (in addition to what is expressly provided for general partnerships and limited partnerships) | 1. Natural person partners of personal or capital companies who are partners of the personal company examined 2. Technical director (if applicable) 3. members of the board of statutory auditors (if any) 4. cohabiting family members of the subjects referred to in points 1, 2 and 3 |
| Capital companies including consortia, for cooperative companies of cooperative consortia, for consortia with external activity | 1. legal representative 2. members of the administrative body 3. technical director (if applicable) 4. members of the board of statutory auditors (if any) 5. each of the consortium members who in the consortia and consortium companies holds a stake of more than 10 percent or holds a stake of less than 10 percent and who has entered into a shareholders' agreement referring to a stake equal to or greater than 10 percent, and to the shareholders o consortium members on behalf of which the consortium companies or consortia operate exclusively towards the public administration; 6. cohabiting family members of the subjects referred to in points 1, 2, 3, 4 and 5 |
| Consortia pursuant to art. 2602 of the Italian Civil Code not having external activities and for European economic interest groups | 1. legal representative 2. any members of the administrative body 3. technical director (if applicable) 4. entrepreneurs and consortium companies (and their legal representative and any members of the management body) 5. members of the board of statutory auditors (if any) 6. cohabiting family members of the subjects referred to in points 1, 2, 3, 4 and 5 |
| Temporary groupings of companies | 1. all the companies making up the Grouping, even if based abroad, as well as the natural persons present within them, as identified for each type of business and company 2. technical director (if applicable) 3. members of the board of statutory auditors (if any) 4. cohabiting family members of the subjects referred to in points 1, 2 and 3 |
| For joint stock companies including consortiums, for cooperative companies of cooperative consortia, for consortia with external activities and for joint stock companies with a number of shareholders equal to or less than four (see letter c of paragraph 2 art.85) concessionaires in the public games sector | In addition to the controls provided for joint stock companies including consortiums, for cooperative companies of cooperative consortia, for consortia with external activities and for joint stock companies with a number of shareholders equal to or less than four, the anti-mafia documentation must also refer to shareholders and individuals who hold, even indirectly, a shareholding in the capital or assets exceeding 2 per cent, as well as general managers and persons in charge of secondary offices or permanent establishments in Italy of non-resident persons. In the event that the natural person shareholders hold the shareholding above the aforementioned threshold through other capital companies, the documentation must also refer to the legal representative and any members of the management body of the shareholder company, to the natural persons who, directly or indirectly, control this company, as well as the general managers and the persons in charge of secondary offices or permanent establishments in Italy of non-resident persons. The documentation referred to in the previous period must also refer to non-separated spouses. |

1. Fill in with the type of subsidized expense title (e.g.: pay slip, invoice, etc), indicating the object of the service

   [↑](#footnote-ref-1)