**Attachment 2a**

**DECLARATION BY THE LEGAL REPRESENTATIVE CONCERNING FINANCIAL TRACEABILITY**

**AND CONTRIBUTION REGULARITY**

(PURSUANT TO Presidential decree no. 445 of 28 December 2000, articles 46-47)

|  |  |  |  |
| --- | --- | --- | --- |
| The undersigned |  | Tax Code |  |
| born  |  | on |  |
| as legal representative of |  |
| with legal office in  |  | address |  |
| with registered office in | *(do not fill out if the same as legal office)* | address | *(do not fill out if the same as legal office)* |
| Tax Code |  | VAT No. |  |
| Certified email |  |

- whose company is an applicant for a subsidy related to audiovisual work \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for subsidy was submitted on \_\_\_\_\_\_\_\_\_ under the public notice “**Apulia Film Fund**;”

- aware of criminal penalties imposed in the event of false statements or data no longer true, as well as the forfeiture of any subsidy obtained should the disbursing Administration, following an audit, finds untruthful evidence of the aforementioned declaration, as provided for in articles 75 and 76 of Presidential Decree No. 445/2000, hereby

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

in order to fulfil obligations of traceability of financial movements provided for by Law No. 136/2010 and subsequent amendments, the following identification details of the bank accounts(s), in the name of the applicant company, dedicated to payments related to the aforementioned audiovisual work.

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

**FURTHERMORE DECLARES**

1. to be in compliance with payments and obligations related to social security, welfare and insurance, as well as all other obligations required by current regulations towards relevant entities (INPS, INAIL, etc.);
2. to commit to using the dedicated bank account(s) for all transactions related to the aforementioned contract (including subcontracts and transactions with subcontractors), which will be communicated to the contracting authority, including any changes, pursuant to art. 3, par. 7 of Law No. 136/2010 and subsequent amendments;
3. to be aware of obligations imposed by Law No. 136/2010 and acknowledge that failure to comply with obligations of traceability, in addition to specific sanctions, will result in the absolute nullification of the contract. Failure to use bank or postal transfers or other appropriate instruments that allow for full traceability of transactions will also lead to the automatic termination of the contract;
4. to commit to include, under penalty of nullification, with all signed contracts with subcontractors and sub-sub-suppliers an appropriate clause where each of them assumes responsibility for obligations of traceability of financial flows under the aforementioned law in accordance with the one outlined in the following form;
5. to commit to immediately notifying the Apulia Film Commission Foundation and the Prefecture-Territorial Office of the Province of Bari, in the case of becoming aware of a contracting party’s non-compliance to the obligations of financial traceability referred to in art. 3 Law no. 136/2010;
6. to commit to including the Single Project Code (CUP) assigned to the project in each individual contract and/or accounting document related to supply or work, in all communications and operations relating to contract management.

Place / date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digitally signed document pursuant to the Consolidated Text of Presidential Decree No.445 of 28 December 2000,*

*Legislative Decree No. 82 of 7 March 2005, and related regulations, which replaces the paper document and handwritten signature.*

**Attachment 2b**

**SELF-DECLARATION REGARDING THE POSSESSION OF ELIGIBILITY REQUIREMENTS**

(PURSUANT TO Presidential decree no. 445 of 28 December 2000, articles 46-47)

|  |  |  |  |
| --- | --- | --- | --- |
| The undersigned |  | Tax Code |  |
| born  |  | on |  |
| as legal representative of |  |
| with legal office in |  | address |  |
| with registered office in | *(do not fill out if the same as legal office)* | address | *(do not fill out if the same as legal office)* |
| Tax Code |  | VAT No. |  |
| Certified email |  |

- whose company is an applicant for a subsidy related to audiovisual work \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for subsidy was submitted on \_\_\_\_\_\_\_\_\_ under the public notice “**Apulia Film Fund**”;

- aware of criminal penalties incurred in the event of false statements or containing data no longer in accordance with the truth aware of criminal penalties imposed in the event of false statements or data no longer true, as well as the forfeiture of any subsidy obtained should the disbursing Administration, following an audit, finds untruthful evidence of the aforementioned declaration, as provided for in articles 75 and 76 of Presidential Decree No. 445/2000, hereby

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

1. that the company is a micro - small - medium *[delete the possibility that does not apply]* enterprise, according to the parameters defined by the Decree of the Ministry of Productive Activities of 18 April 2005 in compliance with selection criteria for SMEs according to EU regulations (European Commission Recommendation 2003/361 / EC),
2. to be the producer of the audiovisual work being submitted, as defined in the Notice;
3. that the company has been established for at least 24 months;
4. in the case of companies established in the form of a joint stock company, to have 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, to have 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 pertaining to categories C and E); *[delete the possibility that does not apply]*
5. to be registered with the Business Register or an equivalent register in a Member State of the European Union;
6. the enterprise operates mainly in the field of “Motion picture, video and television program production activities” (ATECO code 2007 J 59.11, NACE code J 59.11 or a non-European equivalent);
7. not to be considered 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 pre-bankruptcy settlement without business continuity or debt restructuring plan;
9. the enterprise operates in compliance with the provisions of national and territorial collective labor bargaining arrangements and social security obligations, in accordance with Regional Law No. 28 of 26 October 2006;
10. not to be in a condition that does not allow for the disbursement of the subsidy, pursuant to Anti-Mafia Legislation;
11. that it is not in the position of having received and subsequently not repaid or deposited in a blocked account subsidies that administrations are obliged to recover in execution of a recovery decision;
12. not to have been subject to revocation measures resulting in the total restitution of public benefits during the 6 years preceding the date of communication of admission to the benefits, with exception of those deriving from revocation measures or waivers undertaken by the company itself;
13. not to have started working on the audiovisual work for which the subsidy is requested before submitting the application, with the exception of preparatory work, as made explicit in the Notice;
14. not to be subject to prohibitive sanctions pursuant to Legislative Decree No. 231/2001, article 9, paragraph 2, letter d) or other sanctions that involve the prohibition of contracting with public administration;
15. not to transfer for any reason whatsoever the subsidy referred to in the aforementioned Notice to a different entity, by virtue of any contract or obligation;

Place / date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digitally signed document pursuant to the Consolidated Text of Presidential Decree No.445 of 28 December 2000,*

*Legislative Decree No. 82 of 7 March 2005, and related regulations, which replaces the paper document and handwritten signature.*

**Attachment 2c**

**SELF-DECLARATION ON THE CUMULATION OF AID**

(PURSUANT TO Presidential decree no. 445 of 28 December 2000, articles 46-47)

|  |  |  |  |
| --- | --- | --- | --- |
| The undersigned |  | Tax Code |  |
| born  |  | on |  |
| as legal representative of |  |
| with legal office in |  | address |  |
| with registered office in | *(do not fill out if the same as legal office)* | address | *(do not fill out if the same as legal office)* |
| Tax Code |  | VAT No. |  |
| Certified email |  |

- whose company is an applicant for a subsidy related to audiovisual work \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ whose application for subsidy was submitted on \_\_\_\_\_\_\_\_\_ under the public notice “**Apulia Film Fund**”;

- aware of criminal penalties incurred in the event of false statements or containing data no longer in accordance with the truth aware of criminal penalties imposed in the event of false statements or data no longer true, as well as the forfeiture of any subsidy obtained should the disbursing Administration, following an audit, finds untruthful evidence of the aforementioned declaration, as provided for in articles 75 and 76 of Presidential Decree No. 445/2000,

- in order to benefit from of the subsidy within the aforementioned Public Notice, qualifying as aid in favor of audiovisual works, pursuant to article 54 of EU Regulation No. 651/2014 and Apulia Regional Regulation No. 6 of 26/02/2015 (Apulia Regional Regulation for Exempted Aid. Aid schemes in favor of audiovisual works), hereby

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

that the aforementioned company:

 *(select the relevant box)*

|  |  |
| --- | --- |
|  | Has not received, for the same submitted project, any other State aid, as well as during the previous two fiscal years and the current fiscal year, of contributions granted on a “de minimis” basis |
|  | Has been the beneficiary, for the same submitted project, of other State aid and/or, during the previous two fiscal year and the current fiscal year, of contributions granted on a “de minimis” basis, relating to eligible expense types other than those eligible under the Notice |
|  | Has been the beneficiary, for the same submitted project, of the following other subsidies under the aid scheme, including de minimis (during the two previous fiscal years and the current fiscal year), relating to the same eligible expenses indicated in the Notice |
|  | **Year of subsidy** | **Entity** | **Amount** | **Type of eligible expenses[[1]](#footnote-1)** |
|  |  |  |  |  |
|  |  |  |  |  |

Furthermore, declares that it is aware of the provisions of article 54 of EU Regulation No. 651/2014, article 9 of Apulia Region Regulation No. 6 of 26 February 20215 and article 9 of the Notice.

Place / date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Digitally signed document pursuant to the Consolidated Text of Presidential Decree No.445 of 28 December 2000,*

*Legislative Decree No. 82 of 7 March 2005, and related regulations, which replaces the paper document and handwritten signature.*

**Attachment 2d**

**SELF-DECLARATION IN LIEU OF CERTIFICATION ISSUED BY PERSONS REFERRED TO IN**

**ART. 85 OF LEGISTATIVE DECREE NO. 159/2011 and subsequent amendments**

 **AND EACH COHABITING FAMILY MEMBER**

**FOR THE PURPOSES OF ANTI-MAFIA INFORMATION**

(PURSUANT TO Presidential decree no. 445 of 28 December 2000, articles 46-47)

*To be submitted only in the case of a request for a subsidy exceeding EUR 150,000.00*

*and by each family member of the same household*

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ born in\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Prov. \_\_\_\_ on \_\_\_\_\_\_\_\_\_\_ resident in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in via \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ n. \_\_ Tax Cod \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the capacity of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for the company \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**aware of criminal penalties in case of false statements and the consequent forfeiture of any subsidy obtained (pursuant to articles 75 and 76 of Presidential Decree 445/2000) under one's own responsibility, hereby**

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

pursuant to article 85, paragraph 3 of Legislative Decree 159/200, to have the following cohabiting family member of legal age\*\*:

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tax Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Residence (address, town and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tax Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Residence (address, town and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Surname \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tax Code \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Residence (address, town and province) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned also declares to be informed, in accordance with EU Regulation 2016/679, that the personal data collected will be processed, including with electronic means, exclusively for the purposes of the proceedings for which this statement is being made.

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

date \_\_\_\_\_\_\_\_\_\_

legible signature of declarant (\*)

**N.B.: This statement must be completed exclusively in Word format or in block letters.**

This declaration does not require the authentication of the signature and replaces for all purposes the normal certifications required by or intended for public administration as well as public service managers and private individuals who allow it.

The Administration reserves the right to carry out verifications, including random checks, on the truthfulness of the declarations (article 71, paragraph 1, Presidential Decree 445/2000).

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

(\*) The declaration in lieu of affidavit must be made by all persons referred to in article 85 of Legislative Decree 159/2011.

(\*\*) "**Cohabiting family members**" means "**anyone cohabiting**" with the persons referred to in art. 85 of Legislative Decree 159/2011, provided they are of legal age.

**PERSONS REFERRED TO IN ART. 85 OF LEGISTATIVE DECREE NO. 159/2011 and subsequent amendments**

|  |  |
| --- | --- |
| Individual company | 1. Owner of company
2. Technical director (if any)
3. Cohabiting family members of individuals referred to in points 1 and 2
 |
| Corporations or cooperatives | 1. Legal representative
2. Administrators
3. Technical director (if any)
4. Members of the board of auditors
5. Majority shareholder (in companies with 4 or less members)
6. Partner (in the case of a sole proprietorship)
7. Members of the board of statutory auditors or, in the cases provided for in article 2477 of the Civil Code, the mayor, as well as to the persons performing the supervisory duties referred to in article 6, paragraph 1, letter b) of Legislative Decree 231/2001;
8. Cohabiting family members of the persons referred to in points 1, 2, 3, 4, 5, 6 and 7
 |
| Simple and general partnership | 1. All members
2. Technical director (if any)
3. Members of the board of auditors (if provided)
4. Cohabiting family members of the persons referred to in points 1, 2 and 3
 |
| Limited partnership | 1. General partners
2. Technical director (if any)
3. Members of the board of auditors (if provided)
4. Cohabiting family members of the persons referred to in points 1, 2 and 3
 |
| Foreign companies with a branch office in Italy | 1. Those who represent them permanently in Italy
2. Technical director (if any)
3. Members of the board of auditors (if provided)
4. Cohabiting family members of the persons referred to in points 1, 2 and 3
 |
| Foreign companies without a branch office with permanent representation in Italy | 1. Those who exercise powers of administration, representation or management of the company
2. Cohabiting family members of the persons referred to in point 1
 |
| Personal corporations (in addition to those expressly provided for general and limited partnerships) | 1. Individual partners of the personal or limited partnerships who are partners of the personal partnership beingexamined
2. Technical director (if any)
3. Members of the board of auditors (if provided)
4. Cohabiting family members of the persons referred to in items 1, 2 and 3
 |
| Corporations including consortium companies, for cooperative societies of cooperative consortia, for consortia with external activities | 1. Legal representative
2. Members of the administrative body
3. Technical director (if any)
4. Members of the board of auditors (if provided)
5. Each of the consortium members who, in consortia and consortium companies, holds a stake exceeding 10 percent, or holds a stake below 10 percent and has entered into a shareholders' agreement related to a stake equal to or exceeding 10 percent, and to the partners or consortium members on behalf of whom the consortium companies or consortia exclusively operate toward public administration;
6. Cohabiting family members of the persons referred to in points 1, 2, 3, 4 and 5
 |
| Consortia pursuant to art. 2602 of the Civil Code without external activities and for European Economic Interest Groups | 1. Legal representative
2. Members of the administrative body (if any)
3. Technical director (if any)
4. Entrepreneurs and consortium companies (and their legal representative and any members of the administrative body)
5. Members of the board of auditors (if provided)
6. Cohabiting family members of the persons referred to in points 1, 2, 3, 4 and 5
 |
| Temporary business groups | 1. All the company forming the business group, even if based abroad, as well as the individuals present within them, identified for each type of business and company
2. Technical director (if any)
3. Members of the board of auditors (if provided)
4. Cohabiting family members of the persons referred to in items 1, 2 and 3
 |
| For joint stock companies, including consortium companies, for cooperative societies of cooperative consortia, for consortia with external activities, and for joint stock companies with a number of shareholders equal to or less than 4 (see letter c of paragraph 2, article 85) operating as concessionaires in the public gaming sector | In addition to the verifications provided for joint stock companies including consortium companies, cooperative companies of cooperative consortia, consortia with external activities and joint stock companies with a number of members of four or less, the anti-mafia documentation must also refer to members and individuals who hold, even indirectly, a stake of more than 2 percent in the capital or assets, as well as general managers and persons in charge of branch offices or permanent establishments in Italy of non-resident entities. In the event that individual shareholders hold a stake exceeding the aforementioned threshold through other corporations, the documentation must also refer to the legal representative and any members of the board of directors of the partner company, individuals who, directly or indirectly, control such company, as well as the general managers and persons in charge of secondary offices or permanent establishments in Italy of non-resident entities. The documentation referred to in the previous period must also refer to a non-separated spouse. |

1. Fill in with the type of subsidized expense (e.g., paycheck, invoice, etc.), indicating the purpose of the service [↑](#footnote-ref-1)