

**Situations leading to exclusion**

The authorised legal representative of each partner organisation in a KICs proposal shall declare, on their honour, that the organisation is not in one of the situations listed in Articles 93(1) and 94 of the Financial Regulation applicable to the general budget of the European Communities. This declaration is included within a corresponding obligatory part D of the KICs proposal. The situations are listed below.

- they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or Regulations;
- they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- they have been guilty of grave professional misconduct proven by any means which the awarding authority can justify;
- they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the awarding authority or those of the country where the grant is to be performed;
- they have 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 interests;
- they are currently subject to an administrative penalty for having been found guilty of serious misrepresentation in supplying the information required by the authorising department, or for failing to supply such information, or for having been declared to be in serious breach of contract for failure to comply with its contractual obligations subsequent to a procurement procedure or another grant award procedure financed by the Community budget;
- they are subject to a conflict of interest;
- they are guilty of misrepresentation in supplying the information required by the authorising department or of failing to supply this information.

Applicants found guilty of misrepresentation may be subject to administrative and financial penalties in accordance with the conditions laid down in Article 96 of the Financial Regulation applicable to the general budget of the European Communities.