**APPENDIX A: Declaration Re Personal Circumstances**

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| **DECLARATION RE PERSONAL CIRCUMSTANCES AS PER ART. 57 OF DIRECTIVE 2014/24/EU**  **Artists will be excluded from the procurement process if, within the past five (5) years, there is evidence of a conviction relating to a specific criminal offence listed below (see 1.1) or if they have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security contributions (see 1.2) (except where this is disproportionate e.g. where only minor amounts are involved).** | | | |
| * 1. Has the Artist or a member of their proposed consortium, (if applicable), Director, or Partner or any other person who has powers of representation, decision or control, been convicted of any of the following offences? | | **YES** | **NO** |
| Please indicate your answer by marking ‘X’ in the relevant box | |
| 1.1.a | participation in a criminal organisation, as defined in Article 2 of Council Framework decision 2008/841/JHA; |  |  |
| 1.1.b | corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA as well as corruption as defined in Irish Law or the jurisdiction in which the Artist is established; |  |  |
| 1.1.c | fraud within the meaning of Article 1 of the Convention on the protection of the European Communities’ financial interests; |  |  |
| 1.1.d | the subject of a conviction for terrorist offences or offences linked to terrorist activities or for inciting or aiding or abetting or attempting to commit an offence; |  |  |
| 1.1.e | the subject of a conviction for money laundering or terrorist financing; |  |  |
| 1.1.f | the subject of a conviction of child labour and other forms of trafficking in human beings; |  |  |
| Non-payment of taxes or social security obligations   * 1. Has it been established by a judicial or administrative decision having final and binding effect in accordance with Irish law or the legal provisions of the country in which the Artist is established (if outside Ireland), that the Artist is in breach of obligations related to the payment of tax and social security contributions?   Note: If the response to 1.2 above is in the affirmative, please provide further information on the decision and the amounts involved | |  |  |

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| 2.1 Please indicate if any of the following situations have applied, within the past three (3) years, or currently apply, to your organisation. | | **YES** | **NO** |
| Please indicate your answer by marking ‘X’ in the relevant box | |
| 2.1.a | has, in the performance of any public contract, failed to comply with applicable obligations in the field of environmental, social and labour law applying at the place where the works were carried out or the services provided, as established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Annex X of Directive 2014/24/EU; |  |  |
| 2.1.b | is bankrupt or the subject of insolvency or winding-up proceedings, its assets are being administered by a liquidator or by the court, or has entered into an arrangement with creditors, suspended its business activities or is in any analogous situation arising from a similar procedure under national laws and regulations; |  |  |
| 2.1.c | is guilty of grave professional misconduct which renders its integrity questionable; |  |  |
| 2.1.d | has entered into agreements with other artists aimed at distorting competition; |  |  |
| 2.1.e | has a conflict of interest within the meaning of Article 24 of 2014/24/EU that cannot be effectively remedied by other, less intrusive, measures; |  |  |
| 2.1.f | confirms that it has had prior involvement in the preparation of the procurement procedure which has resulted in a distortion of competition, as referred to in Article 41 of 2014/24/EU, that cannot be remedied by other, less intrusive, measures; |  |  |
| 2.1.g | has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions. |  |  |
| 2.1.h | * is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or |  |  |
| * has withheld such information or is not able to submit supporting documents required under Article 59 of Directive 2014/24/EU; or |  |  |
| 2.1.i | has undertaken to:   * unduly influence the decision-making process of the contracting entity, obtain confidential information that may confer upon it undue advantages in the procurement procedure; or * negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  |  |

**Declaration Re Statutory Obligations – Pass/Fail Criteria**

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| We confirm that we are fully compliant with the following legislation, or equivalent legislation in our country of establishment/operation: | | | **YES** | **NO** |
|  | Employment Equality Acts 1998-2011 | |  |  |
|  | Equal Status Acts 2000-2011 | |  |  |
|  | National Minimum Wage Act 2000 as amended | |  |  |
|  | Organisation of Working Time Act 1997 as amended | |  |  |
|  | Safety, Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (General Application) Regulations 2007 | |  |  |
|  | Disability Act 2005 | |  |  |
|  | Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, the Data Protection Act, 2018 | |  |  |
|  | We further confirm that all Data Subjects whose Personal Data is provided in our Application have consented to the processing of such Personal Data by us, Cavan County Council, the Evaluation Team and (if necessary) the supplier of the etenders.gov.ie website, for the purposes of our application to get on the Artists Panel and for use during the lifetime of the Artists Panel where necessary or that we otherwise have a legal basis for providing such Personal Data to Cavan County Council for the purposes of our application to get on the Artists Panel and for use during the lifetime of the Artists Panel where necessary and that we will provide evidence of such consent and / or legal basis to Cavan County Council upon request. | |  |  |
|  | We have procedures in place to ensure that our subcontractors, if any are used for this contract, apply the same standards. | |  |  |
| This Declaration is made for the benefit of Cavan County Council  I certify that the information provided in the **Declaration re Personal Circumstances** and the **Declaration re Statutory Obligations** is accurate and complete to the best of my knowledge and belief. I understand that the provision of inaccurate or misleading information in these Declarations will lead to my organisation being excluded from participation in this and future applications/tenders and I am signing on behalf of: | | | | |
| Name of Applicant | |  | | |
| Name of Authorised Signatory | |  | | |
| Position | |  | | |
| Signature | |  | | |