

**DECLARATION REGARDING THE EXPORT TRANSACTION****INSURED:****EXPORTER:****DEBTOR**

The undersigned of the hereby *Declaration* is ☐ **Exporter** ☐ **Financing bank**

**DECLARATIONS:**

Having regard to:

- ✓ *Recommendation of the OECD Council on Bribery and Officially Supported Export Credits*, applicable to Exim Banca Romaneasca S.A, as specialized state-owned institution for the official support of export credits;
- ✓ Provisions of art. 289 and 290 of Romanian Criminal Conduct Code;
- ✓ Provisions of Law 78/2000 regarding the prevention, discovery, and sanction of corruption acts

A. The undersigned \_\_\_\_\_ hereby declares and acknowledges under the sanctions of Romanian law the following:

- ❖ is aware of the legal consequences of the bribery acts in international business transactions to foreign and Romanian public officials and companies in the private sector.
- ❖ the undersigned entity and any other individual/legal person acting on its behalf (agents/intermediaries) in regard of the export transaction is not and will not be involved in bribery acts to foreign and Romanian public officials.
- ❖ taxes and fees paid or convened upon to be paid to any physical or legal persons acting on their behalf in the transaction (e.g., agents) are related or will be related to legally legitimate and reasonable services.
- ❖ agrees to offer upon Exim Banca Romaneasca NCS request information on identity of any individual or legal person that acts on behalf of the exporters in the export transaction, the value and scope of fees and taxes paid or convened to be paid to such persons as well as the country and jurisdiction where these fees and taxes have been paid or convened to be paid.
- ❖ acknowledges that:
  - a) should it be proven that the export transaction involved bribery acts on foreign and/or Romanian public officers or companies in the private sector,
  - b) one or more of the parties involved in the transaction is/are listed on the multilateral financial institutions' debarment lists for physical or legal persons sanctioned for bribery acts,

Exim Banca Romaneasca is entitled either to deny granting the requested product or, following approval of the facility, to refuse signing the respective contractual documents or to apply contractual provisions (deny paying indemnification/ request for reimbursement of the indemnification paid/ suspension of credit payments/ request for advanced credit reimbursement).

**B.** The undersigned as well as any other individual/legal person acting on its behalf in relation with the export transaction:

❖ is mentioned on the lists of World Bank, European Bank for Reconstruction and Development, African Development Bank, Asian Development Bank, Inter-American Development Bank containing physical or legal persons sanctioned for bribery acts?

☐ YES

☐ NO

❖ to the best of their knowledge are at present charged or will be charged by prosecutors for breaching the legislation regulating the bribery acts in any country?

☐ YES

☐ NO

❖ has been convicted within a five-year period preceding the application in any national court for breaching in legislation that regulates bribery acts in any country or has been subject to equivalent measures or has been mentioned / found as involved in bribery acts in a public sentence of an arbitral court?

☐ YES

☐ NO

❖ <sup>1</sup> The undersigned has internal procedures/ code of conducts internal control systems appropriate for combating bribery acts?

☐ YES

☐ NO

<sup>2</sup> The undersigned has implemented / will implement these procedures in obtaining and executing the export contract?

☐ YES

☐ NO

*Enclosed a copy of the procedures/ Code of Conduct*

<sup>1</sup> Not applicable to the financing bank

<sup>2</sup> Idem 1

- *Exim Banca Romaneasca S.A. is encouraging all business partners to develop, apply and formally implement appropriate management control systems for combating bribery acts in international transactions.*
- *Exim Banca Romaneasca S.A. is encouraging all business partners to increase awareness on the fact that every party involved in the international commercial transactions is also obliged to observe all the laws and relevant regulations that forbid bribery acts in the state or jurisdiction where it activates.*
- *Exim Banca Romaneasca S.A. promotes the responsible business conduct of all the parties involved in the application for officially supported export credit.*

**(Name, Function )**

**(signature)**

**(Name, Function)**

**(signature)**