Appendix No. 5

**Handling mark: CZ-272-17/22**

**Contractor's data:**

Contractor's name ................................................ .................................................. .....

Contractor's address ……………………………………………………………………………

Phone number................................................ .................................................. ...........

E-mail adress.............................................. .................................................. .................

NIP ................................................. REGON ................................................ .............

**DECLARATION**

**OF THE CONTRACTOR ON NOT BEING SUBJECT TO EXCLUSION AND FULFILLING THE CONDITIONS OF PARTICIPATION IN THE PROCEEDINGS**

**submitted in accordance with Article 125 sect. 1 of the Public Procurement Law**

Declarations regarding grounds for exclusion:

1. I declare that I am not subject to exclusion from the proceedings pursuant to Article 108 sec.1 of the Public Procurement Law Act
2. I declare that I am not subject to exclusion from the proceedings pursuant to Article 109 sec 1, items 4,5,6,7,8,9,10 of the Public Procurement Law Act
3. I also declare that there are no grounds for exclusion of me from the proceedings under Article 7 sec. 1 of the Act of April 13, 2022 on special solutions to prevent support for aggression against Ukraine and to protect national security (Journal of Laws, 2023 item 129).[[1]](#footnote-1)

Declaration regarding the conditions for participation in the proceedings:

I declare that I fulfill the conditions for participation in the proceedings specified by the ordering party in the SWZ and in the OPZ constituting Appendix No. 1 to the SWZ.

A declaration regarding the information provided:

I declare that all informations in the above declarations are up-to-date and truthful and have been presented with full knowledge of the consequences of misleading the ordering party in presenting the information.

|  |  |
| --- | --- |
| (place and date) | signature of the person or persons authorized to represent the contractor (qualified electronic signature / personal signature / trusted signature |

1. Pursuant to the provisions of Article 7 (1) of the Law of April 13, 2022 on Special Solutions to Prevent Support for Aggression against Ukraine and to Protect National Security, hereinafter referred to as the "Law," the following are excluded from a public procurement or competition conducted under the PPL Law:

1) a contractor and a participant in a competition listed in the lists specified in Regulation 765/2006 and Regulation 269/2014, or included in the list on the basis of a decision on inclusion in the list ruling on the application of the measure referred to in Article 1 item 3 of the Law;

2) a contractor and a contest participant whose beneficial owner within the meaning of the Act of March 1, 2018 on the prevention of money laundering and terrorist financing (Journal of Laws of 2022, items 593 and 655) is a person listed in the lists set forth in Regulation 765/2006 and Regulation 269/2014, or listed or being such a beneficial owner as of February 24, 2022, provided that he or she has been listed on the basis of a decision on listing conclusive of the measure referred to in Article 1, item 3 of the Act;

3) a contractor and a participant in a competition whose parent entity, within the meaning of Article 3(1)(37) of the Accounting Act of September 29, 1994 (Journal of Laws of 2023, Item 120), is an entity listed in the lists set forth in Regulation 765/2006 and Regulation 269/2014, or listed or being such a parent entity as of February 24, 2022, provided that it has been listed on the basis of a decision on listing conclusive of the measure referred to in Article 1(3) of the Act. [↑](#footnote-ref-1)