

## OWNERSHIP CONTROL DECLARATION

*(To be filled in by the project participants as part of the application. All declarations must be assembled by the coordinator and uploaded in a single file in the Portal Submission System.*

*Beneficiaries and affiliated entities must always provide the form; associated partners and subcontractors must provide it only if required by the call conditions (for HE, associated partners always). Entities that are validated as public bodies by the Central Validation Service are exempted since they will automatically be considered as controlled by their country.*

*Supporting documents do not have to be provided at application stage, but will be requested later on. You will receive a task notification asking you to upload the documents to your PIC account in the Portal Participant Register.*

**⚠️** *The supporting documents should reflect the situation at the moment you sign this declaration. Please be aware that additional evidence may also be requested later on, in case there are open questions about your ownership/control status.*

**⚠️** *Please note that the information in this declaration may be reused in case you apply to other EU calls that have ownership/control restrictions.*

**⚠️** *Please also note that you must inform the granting authority in case of changes in your shareholding during the project implementation, if these could impact the ownership/control requirements.)*

<b>DECLARATION ON OWNERSHIP AND CONTROL</b>	
<b>Participant</b>	
Legal name:	
PIC:	
Legal registration number:	
Place of establishment: <i>(country of registration; full address)</i>	
<b>Headquarters</b>	
Location of global headquarters/head office: <i>(full address)</i>	
Location of the executive management structure: <i>(if different from the location of global headquarters/head office; full address)</i>	
<small><i>'Executive management structure' means a body appointed in accordance with national law, and, where applicable, reporting to the chief executive officer, which is empowered to establish the strategy, objectives and overall direction, and who oversees and monitors management decision-making.</i></small>	
<b>Listed, subsidiary or controlled</b>	
<i>Supporting documents: report/minutes of the last three shareholders meetings, for each of the listed companies.</i>	
Are you listed on a stock exchange?	Yes/No
Are you a subsidiary of a listed company?	Yes/No
Are you controlled by a listed company?	Yes/No
<i>If the reply is YES to any of these three questions, please provide:</i>	
Which stock exchange?	
Legal name of the listed company:	

**Share of the float in the total outstanding shares:**

*'Floating stock' is the result of subtracting closely-held shares from the total number of issued shares. It represents the portion available for unrestricted trade on a regulated stock market.*

**Ownership structure and specific rights**

*In the table below, detail any owners that:*

- *retain, directly or indirectly, at least 5% in the capital or at least 5% of the voting rights, including through any content, understanding, relationship<sup>[1]</sup> or/and intermediary*
- *have one or more of the following specific rights in relation to their ownership:*
  - *right to veto a transfer of shares*
  - *pre-emption rights*
  - *right to purchase additional shares or investment subject to conditions*
  - *right to sell shares (only for owners that are not established in eligible countries (i.e. legal entity) or do not have the nationality of one of the eligible countries (i.e. individual) and holding more than 5% of the voting rights).*

*Supporting documents:*

- *commercial registry extracts, shareholders book or a declaration signed by the legal representative of the organisation and any other relevant document containing clear mention of the shareholders and their percentage of interest/voting rights.*
- *shareholders' agreement, memorandum of understanding among shareholders, statutes, articles of association or other relevant documents regarding the decision-making procedures within the legal entity, investment agreements between the shareholders, etc.*
- *If there are legal persons as shareholders<sup>[2]</sup>, please provide also a graph describing the different ownership layers/chain of control until the ultimate owners.*

**⚠** *The supporting documents must show the complete ownership structure, for the entity and all its layers of ownership, up to the ultimate owners and should reflect the situation at the moment you sign this declaration.*

<sup>[1]</sup> *This includes voting agreements between shareholders that would together have more than 5% of the voting rights or 5% of the capital.*

<sup>[2]</sup> *Detaining at least 5% in the capital or at least 5% of the voting rights.*

Owner name	Country of establishment/ or nationality	How is the ownership/control held		Specific rights attached to shares
		by share [%]	by voting right [%]	

**Corporate governance**

*Describe briefly:*

- *the decision-making bodies, their composition as well as their nationality or place of establishment (where applicable);*
- *the rules regarding election, appointment, nomination or tenure of members of the decision-making bodies or other management positions;*
- *the decision-making procedures, including information regarding the required majority and/or quorum needed for decisions.*

*Supporting documents: Documents establishing/describing the decision-making bodies, rules regarding election, appointment, nomination or tenure, decision-making procedures within the legal entity (e.g. articles of association bylaws, reports on corporate governance, etc).*

*You can refer to specific sections of your supporting documents.*

**⚠** *The same documents and information should be provided for each intermediate legal entity holding directly or indirectly 5% or more of the capital or voting rights, up to the ultimate owners of all the layers involved.*

Insert text			
<b>Control</b>			
<b>Commercial links conferring control</b>			
<p>List individuals or legal entities with whom you (or your owners, including intermediate layers until the ultimate owners) have a commercial relationship that (1) leads to a similar level of control on management and resources as the ownership of shares or assets and (2) is of very long duration (e.g. very important long-term supply agreements or credits provided by suppliers/customers, coupled with structural links).</p> <p>Supporting documents: cooperation agreements with the customer or supplier, etc.</p>			
Name	Country of establishment/ or nationality	Commercial link type (Supplier, customer, etc...)	Indicative amount
<b>Financial links conferring control</b>			
<p>List individuals or legal entities (including controlling shareholders/owners) from whom you (or your owners) are financially dependent in a way that could allow them to obtain concessions in strategic business areas.</p> <p>Supporting documents: loan documents, by-laws, documents showing the link; etc.</p>			
Name	Country of establishment/ or nationality	Financial link type	Indicative amount
<b>Other sources of control</b>			
<p>Indicate if there is any other mean, process or link ultimately conferring control to another country entity (similar level of control on management and resources as the ownership of shares or assets and of long duration).</p> <p>Supporting documents: documents showing the control</p>			
Insert text			
<input type="checkbox"/>	<b>DECLARATION (control)</b>		
<b>We hereby confirm that:</b>			
<ol style="list-style-type: none"> <li>1) our organisation is <b>subject to control</b> by an ineligible country or ineligible country entity</li> <li>2) the present declaration is true and sincere</li> <li>3) the information regarding ownership and control is accurate and reliable</li> <li>4) if needed, we will provide guarantees to prove compliance with the requirements set out in the call conditions.</li> </ol>			
<input type="checkbox"/>	<b>DECLARATION (no control)</b>		
<b>We hereby confirm that:</b>			
<ol style="list-style-type: none"> <li>1) our organisation is <b>NOT subject to control</b> by an ineligible country or ineligible country entity</li> <li>2) the present declaration is true and sincere</li> </ol>			

<p>3) the information regarding ownership and control is accurate and reliable</p> <p>4) to the best of our knowledge, there are no other arrangements or coordination between shareholders from ineligible countries that would together exercise control</p> <p>5) to the best of our knowledge, there are no other financial or commercial links with ineligible countries or ineligible county entities conferring control</p> <p>6) we are aware that false declarations may lead to proposal rejection/grant termination and to administrative sanctions under Articles 135 to 145 of the <a href="#">EU Financial Regulation 2018/1046</a>.</p>	
<input type="checkbox"/>	<b>DECLARATION (no change)</b>
<b>We hereby confirm that:</b>	
<p>1) there has been no change in our organisation's ownership and control situation compared to the last declaration/assessment procedure by the EU services</p> <p>2) the present declaration is true and sincere</p> <p>3) if needed, we will provide guarantees to prove compliance with the requirements set out in the call conditions.</p>	
Last declaration/assessment:	[mm/YYYY (date of request of supporting documents by the EU services)]
Project name and acronym:	[project title] — [acronym]
<b>SIGNATURE OF THE AUTHORISED PERSON</b>	
Name and function:	[name NAME], [function]
Date of signature:	[date]
Signature and stamp:	[signature and stamp]

## GUARANTEES

*(Guarantee declaration to be filled in and signed by the controlled participants (beneficiaries and affiliated entities; associated partners and subcontractors, where applicable).*

*Approval to be filled in and signed by the competent authority.*

*All documents must then be assembled by the coordinator and uploaded in a single file, either in the Portal Submission System as part of the application or during grant agreement preparation.*

**⚠** *For HE actions, approval is also a requirement, but applicants do not need to submit it as part of their documents; submission of the guarantee declaration is sufficient. Where approval is needed, the granting authority will contact the competent authorities. If the competent authorities are not in a position to approve the guarantees, the participants cannot participate.*

**⚠** *For some CEF Digital topics, guarantees are required for all participants, independently of their ownership control situation. These topics are identified in the CEF Digital Work Programme and in the Call document.*

**⚠** *For ASAP actions, no guarantee will be required in case there is a valid FDI screening within the meaning of Regulation [2019/452](#)<sup>1</sup>, which has been accepted by the granting authority on the basis of the FDI screening declaration.)*

GUARANTEES	
<b>Participant:</b>	[legal name] ([short name])
<b>PIC number:</b>	
<b>Project name and acronym:</b>	[project title] — [acronym]
<b>EU funding programme:</b>	[Digital Europe (DEP)][Horizon Europe (HE)][European Defence Fund (EDF)][ASAP][CEF Digital]
MEASURES PUT IN PLACE	
<p><i>Provide a short description to substantiate the measures put in place in order to ensure that your involvement does not contravene the EU security, defence or public order interests or the objectives of the EU programme, and in particular that :</i></p> <ul style="list-style-type: none"> <li>– <b>control</b> over the participant is not exercised in a manner that:                             <ul style="list-style-type: none"> <li>– restrains, restricts or compromises its capacity to carry out the action and to deliver results</li> <li>– imposes restrictions concerning infrastructure, facilities, assets, resources, intellectual property or knowhow needed for the action</li> </ul> </li> <li>– <b>access</b> by ineligible countries/ineligible country entities <b>to sensitive information</b> relating to the action is prevented and the employees or other persons involved in the action have adequate security clearance, where appropriate</li> <li>– ownership of the <b>intellectual property</b> arising from, and the other <b>results</b> of, the action:                             <ul style="list-style-type: none"> <li>– remain within the participant during and after the end of the action</li> <li>– are not subject to control or restriction by the ineligible countries/ineligible country entities</li> <li>– are not transferred/exported from outside the eligible countries or by ineligible entities without the approval of the eligible country in which the participant is established and in accordance with the objectives of the EU funding programme</li> </ul> </li> <li>– <i>for CEF Digital: the <b>cybersecurity requirements</b> that apply in the Member State with the strictest rules (compared to the other Member States where infrastructure is deployed) are complied with.</i></li> </ul>	
Control	
Insert text	

<sup>1</sup> Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I , 21.3.2019, p. 1).

Access to sensitive information	
Insert text	
IPR/results of the action	
Insert text	
Cybersecurity <i>(for CEF Digital)</i>	
Insert text	
GUARANTEE DECLARATION	
<p><b>We hereby confirm that:</b></p> <ol style="list-style-type: none"> <li>1) our involvement will not contravene             <ul style="list-style-type: none"> <li>– the following interests, as described in the call conditions:                 <ul style="list-style-type: none"> <li>– <b>for DEP:</b> security or EU strategic autonomy</li> <li>– <b>for HE:</b> strategic interests of the EU and its Member States</li> <li>– <b>for EDF and ASAP:</b> security and defence interests of the EU and its Member States in the framework of the CFSP pursuant to Title V TEU</li> <li>– <b>for CEF Digital:</b> security</li> </ul> </li> <li>– the objectives of the EU funding programme</li> </ul> </li> </ol> <p>and that</p> <ol style="list-style-type: none"> <li>2) we have put in place all necessary measures to avoid issues such as concerning control, access to sensitive information and results, including IPR, as set out in the call conditions</li> <li>3) <b>for EDF:</b> the guarantees comply with Articles 20 and 23 of the EDF Regulation.</li> </ol>	
SIGNATURE OF THE AUTHORISED PERSON	
<b>Name and function:</b>	[name NAME], [function]
<b>Date of signature:</b>	[date]
<b>Signature and stamp:</b>	[signature and stamp]

COMPETENT AUTHORITY	
Competent authority:	[name of the competent authority]
Department:	[department name]
Contact person:	[NAME, name], [function]
Legal address:	[street name], [number] [PO box] [post code] [town/city name] [country name] [fax/email address]
APPROVAL OF THE GUARANTEES	
Name of the project for which the approval is requested:	[project title] — [acronym]
Participant:	[legal name] ([short name])
<p><b>On the basis of the guarantees provided, we can confirm that:</b></p> <p>1) the involvement of the participant would not contravene:</p> <ul style="list-style-type: none"> <li>– the following interests, as described in the call conditions: <ul style="list-style-type: none"> <li>– for DEP: security or EU strategic autonomy</li> <li>– for HE: strategic interests of the EU and its Member States</li> <li>– for EDF and ASAP: security and defence interests of the EU and its Member States in the framework of the CFSP pursuant to Title V TEU</li> <li>– for CEF Digital: security</li> </ul> </li> <li>or</li> <li>– the objectives of the EU funding programme</li> </ul> <p>and that</p> <p>2) they have put in place the necessary measures to avoid issues such as concerning control, access to sensitive information and results, including IPR, as set out in the call conditions</p> <p>3) for EDF: the guarantees comply with Articles 20 and 23 of the EDF Regulation.</p>	
<p><b>Comments</b></p> <p><i>Justify why you consider that the guarantees fulfil the necessary standards..</i></p>	
Insert text	
<p><b>Additional comments (optional)</b></p>	
Insert text	

SIGNATURE OF THE AUTHORISED PERSON	
Name and function:	[name NAME], [function]
Date of signature:	[date]
Signature and stamp:	[signature and stamp]

HISTORY OF CHANGES		
VERSION	PUBLICATION DATE	CHANGE
1.0	15.07.2021	Initial version (new MFF)
1.1	18.08.2021	Exemption for entities validated as public bodies (instructions).
2.0	01.05.2022	Template aligned with new guidance document. Extension of the obligation to associated partners for EDF. New declaration on no changes. New templates for guarantees and approvals.
3.0	01.10.2023	Declaration for associated partners and subcontractors only if required by call conditions/call document. Extension for ASAP.