

InnovFin
EU Finance for Innovators



InnovFin
SME Guarantee

To:

European Investment Fund

Re: InnovFin SME Guarantee facility

Attention: Guarantees, Securitisation & Microfinance

37B avenue J.F. Kennedy

L-2968 Luxembourg

EXPRESSION OF INTEREST

For the Guarantee/ Counter-Guarantee(*)

in the context of the InnovFin SME Guarantee facility

Applicant submitting the Expression of Interest:

_____ / _____

(company name, registration number)

Dear Sir or Madam,

Herewith we are submitting our Expression of Interest on behalf of [Applicant] and [Participating Entities] in response to the Open Call for Expression of Interest in the framework of the Facility implemented by the EIF. Capitalised expressions utilised herein shall have the meaning attributed to them in the above mentioned Call for Expression of Interest.

The undersigned duly authorised to represent the [Applicant] and [Participating Entities], by signing this form certifies/certify and declare(s) that the information contained in this Expression of Interest and its Appendices is complete and correct in all its elements.

The undersigned duly authorised to represent the [Applicant] and [Participating Entity], by signing this form certifies and declares to have read the EIF Anti-Fraud Policy and declares not to have made nor to make any offer of any type whatsoever from which an advantage can be derived under the Guarantee Agreement/Counter-Guarantee Agreement (*) and not to have granted nor to grant, not to have sought nor to seek, not to have attempted nor to attempt to obtain, and not to have accepted nor to accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to signing of the Guarantee Agreement/ Counter-Guarantee Agreement (*).

The undersigned, duly authorized to represent the [Applicant] and [Participating Entities], by signing this form certifies and declares that each of the [Applicant] and [Participating Entities] (i) does not perform research & innovation activities which are related to (i) illegal activities according to the applicable legislation in the countries of its establishment and the establishment of any of the Beneficiaries or (ii) activities referred to in Article 19 of Regulation (EU) No 1291/2013 of the European Parliament and the Council establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC dated 11 December 2013.

For the purpose of the EIF Transparency Policy, as further specified in Appendix 4, and subject to the approval of the relevant operation by the EIF Board of Directors, the [Applicant], by signing this form:

[Please tick as appropriate]

confirms that the [Applicant] [and the Participating Entities] agree(s) with the disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes

OR

declares that (i) the [Applicant] [and the Participating Entities] request(s) the non-disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes and (ii) such disclosure would undermine the protection of commercial interests¹ relevant to the operation.

¹ Including by reason of such information being covered by a confidentiality agreement.

Yours sincerely,

Signature(s):

Stamp of the Applicant (if applicable):

Name and position in capitals:

Applicant's name

Place: Date (day/month/year):

(*) select as appropriate

Appendices

Appendix 1 Applicant/Participating Entity Identification

Appendix 2 Declaration of Honour of Applicant/Participating Entity

Appendix 3 Information Requirements

Appendix 4 Disclosure of information on EIF's website

Appendix 1 to the Expression of Interest

APPLICANT/PARTICIPATING ENTITY IDENTIFICATION²

INFORMATION REQUIRED	
APPLYING FOR:	<input type="checkbox"/> GUARANTEE <input type="checkbox"/> COUNTER-GUARANTEE
	<input type="checkbox"/> SENIOR DEBT <input type="checkbox"/> SUBORDINATED DEBT
	SMEG COVID-19 SUB-WINDOW ³ <input type="checkbox"/> YES <input type="checkbox"/> NO
APPLYING AS:	<input type="checkbox"/> APPLICANT <input type="checkbox"/> PARTICIPATING ENTITY
NAME	
LEGAL FORM	
CONTACT DETAILS	Title: Mr/Mrs/other (delete or complete as appropriate) Surname: Forename(s): Function: Address: Telephone: Email:

² In case of a joint application, this form shall be completed separately by the Applicant and Participating Entities.

³ SMEG COVID-19 SUB-WINDOW is available only to Financial Intermediaries established in EU Member States.

Appendix 2 to the Expression of Interest

DECLARATION OF HONOUR OF APPLICANT/PARTICIPATING ENTITY⁴

The undersigned [name of the signatory(ies) of this Declaration], representing the following legal person: [name of the Applicant/Participating Entity] (the “Financial Intermediary”)

full official name:

official legal form:

full official address:

VAT registration number:

➤ declares that the Financial Intermediary is not in one of the following situations:

1. The Financial Intermediary, including the manager of the Financial Intermediary, has not been in one of the following situations during the last five (5) years from the date of signature of this form:
 - a. bankrupt, subject to insolvency, wound up, or having its affairs administered by a liquidator or by the courts, in the context it has entered into an arrangement with creditors, had its business activities suspended or a standstill (or equivalent) agreement has been signed with creditors and validated by the competent court when required by the applicable law, or has been in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b. subject of a final judgment or final administrative decision for being in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law and where such obligations remain unpaid unless a binding arrangement has been established for payment thereof;
 - c. it or persons having powers of representation, decision-making or control over it, have been convicted by a final judgment or a final administrative decision for grave professional misconduct, where such conduct denotes wrongful intent or gross negligence, which would affect its ability to implement the (Counter-) Guarantee and which is for one of the following reasons:
 - i. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;
 - ii. entering into agreements with other persons aimed at distorting competition;
 - iii. attempting to unduly influence the decision-making process of the contracting authority during the relevant award procedure as such term is defined in Article 2 of the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 (the “**Financial Regulation**”);

⁴ In case of a joint application, this declaration shall be completed separately by each of the Applicant and the Participating Entities.

- iv. attempting to obtain confidential information that may confer upon it undue advantages in the relevant award procedure as such term is defined in Article 2 of the Financial Regulation;
- d. it or the person having powers of representation, decision-making or control over it, has been the subject of a final judgment for:
- i. fraud;
 - ii. corruption;
 - iii. participation in a criminal organisation;
 - iv. money laundering or terrorist financing;
 - v. terrorist offences or offences linked to terrorist activities, or inciting, aiding, abetting or attempting to commit such offences;
 - vi. child labour and other forms of trafficking in human beings;
- e. The Financial Intermediary is not subject to a decision on exclusion contained in the early detection and exclusion system database (the EDES database available at the official website of the EU) set up and operated by the European Commission.

Alternatively, where the situations referred to in 1 (a) and 1 (e) above or the judgements referred to in 1(b) to 1(d) above occurred, the undersigned declares that the Financial Intermediary will provide evidence that remedial measures have been adopted to demonstrate its reliability, or that an exclusion would be disproportionate taking into account the circumstances.

2. The Financial Intermediary does not perform activities which are illegal according to the applicable legislation in the country of establishment of the Applicant;
3. The Financial Intermediary does not perform activities referred to in Article 19 of Regulation (EU) No 1291/2013 of the European Parliament and the Council establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC dated 11 December 2013;
4. The Financial Intermediary has not been, in the past five years, subject to a final judgment or administrative decision by a national court or authority that the Financial Intermediary was created with the intent to illegally circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business, as validly represented in the Expression of Interest.

Full name:

Date (day/month/year):

Signature(s):

Appendix 3 to the Expression of Interest

INFORMATION REQUIREMENTS

For Existing Financial Intermediaries under InnovFin SMEG, the following information shall be provided.

In case of joint applications, all the above information shall be provided for the Applicant and each Participating Entity.

1. IMPLEMENTATION MEASURES

1.1. Proposed Agreed Portfolio Volume (size of the Portfolio) to be originated during the Availability Period of 2 years.

2. EXPECTED CHARACTERISTICS OF TO-BE-CONSTRUCTED PORTFOLIO

2.1. Eligible Beneficiary Transactions financing purpose

Indicative expected breakdown of the Portfolio by purpose of financing:

Portfolio composition:	Indicative portfolio breakdown (%)
Working capital only	
Including Working capital and tangible/intangible investments	
Other (investment only, business transfers) ¹	

The Guarantee Rate for Beneficiary Transactions/Intermediary Transactions including working capital during the COVID-19 Support Period shall be set to [50/60/70/80%] as elected by the Applicant/Participating Entity.

¹ Not applicable under COVID-19 Sub-window

Appendix 4 to the Expression of Interest

EIF Transparency Policy

Within the framework of the EIF's Transparency Policy² (the "EIF Transparency Policy"), EIF is committed to the guiding principle of promoting transparency with respect to its operational and institutional activities.

Pursuant to this guiding principle, and in accordance with the EIB Group approach and undertakings to promote transparency and good administrative practice, EIF has adopted the practice of publishing the minutes of the Board of Directors ("Board minutes") on its website, following their approval and signature.

The published Board minutes only indicate those operations presented for decision which have been approved and, as a general rule, contain a summary indicating the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources.

The EIF Transparency Policy also recognises the need for EIF to balance transparency with confidentiality undertakings and the protection of commercially sensitive or personal data, with a view to EIF satisfying its legal obligations to, and maintaining the confidence and trust of, its business partners, investors and third parties.

Consequently, should an Application receive the relevant EIF internal authorisation for submission to EIF's Board of Directors and be approved by the Board thereafter, and should an Applicant deem that the publication of such a summary would expose sensitive or confidential information, for which there would be a compelling reason not to disclose, the Applicant shall make a declaration to that effect in the submission of the Expression of Interest resulting in the information in question being edited out of the published Board minutes and, subject to any applicable confidentiality undertakings, only being made public in connection with the signature of the operation in question.

If EIF has not received such declaration confirming that an Applicant does not agree to the publication of the aforementioned operational overview in the Board minutes, EIF will consider that it is acceptable to the Applicant and each Participating Entity, if applicable, and will proceed with publication on EIF's website as indicated above.

² http://www.eif.org/news_centre/publications/EIF_Transparency_policy.htm?lang=-en