**European Climate Initiative (EUKI) 2022**

**Commercial and Legal Information (CLI)**

[Project title]

submitted by

[Submitter]

To complete this form, we recommend to check our commercial & legal video tutorials on

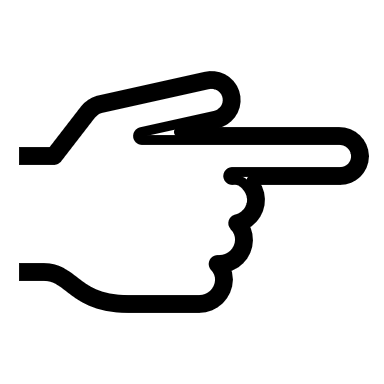
“[How to draft a budget](https://www.euki.de/en/learning/budget/)” and

“[Commercial and legal eligibility check for potential EUKI recipients](https://www.euki.de/en/learning/kep/)”.

Please enclose the following attachments **and name the files starting with** **“*Annex [Letter]\_...”:***

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|  | **Checklist of the Annexes to submit:** | *For further information see chapter:* |
|  | Annex E: Budget template ([please use our template for Annex E](https://www.euki.de/wp-content/uploads/2022/05/Budget-Template-2022.xlsx)). |  |
|  | Annex F: Order form for registration of a creditor ([please use our template for Annex F](https://www.euki.de/wp-content/uploads/2021/11/Template_Order-form-for-a-registration-of-a-creditor-Annex-5.xlsx)). | --- |
|  | Annex G: Proof of legal form/non-profit status of the institution/organisation  *To be handed in by the implementer as well as implementing partners. All documents should be submitted in the original language with a translation into English/German.* | 1.1 |
|  | Annex H: Proof of non-profit status  *To be handed in by the implementer as well as implementing partners. All documents should be submitted in the original language with a translation into English/German.* | 2.2 |
|  | Annex I: Signed self-declaration stating that your accounting system complies with the national standards/regulations in your country ([please use our template for Annex I](https://www.euki.de/wp-content/uploads/2022/05/Accounting-System-Annexes-CLI.docx)).  *Please only submit for the implementer.* | 3.1 |
|  | Annex J: Annual financial statements for the past three years including the last audited annual financial statement available  or  Annual financial statements and a signed self-declaration, stating that these annual financial statements are not relevant for auditing purposes under national law (with a reference to the according legal basis).  *Please only submit for the implementer. All documents should be submitted in the original language with a translation into English/German.* | 3.2 |
|  | Annex K: Signed self-declaration of commitment to create and use an electronic or manual time recording system for the duration of the project ([please use our template for Annex K](https://www.euki.de/wp-content/uploads/2022/05/Accounting-System-Annexes-CLI.docx)).  *Please only submit for the implementer. Only in case that no verifiable time recording is already available.* | 3.4 |
|  | Annex L: Standards of your organisation regarding the awarding of contracts for supplies and services and one example of a completed procurement documentation.  *Please only submit for the implementer. All documents should be submitted in the original language with a translation into English/German.* | 4. |
|  | Annex M: Filled-in and signed checklist of your internal control measures ([please use our template for Annex M](https://www.euki.de/wp-content/uploads/2022/05/Accounting-System-Annexes-CLI.docx)).  *Please only submit for the implementer!* | 5.1 |
|  | Annex N: *If available:* Audit report(s) of other donors or auditing bodies  *Please only submit for the implementer. All documents should be submitted in the original language with a translation into English/German.* | 5.2; 6.2 |
|  | Annex O: List of previous experiences in implementing third party funded projects.  *Please only submit for the implementer.* | 6. |
|  | Annex P: Statement of compliance with the law and anti-corruption ([please use our template for Annex P](https://www.euki.de/wp-content/uploads/2022/05/Accounting-System-Annexes-CLI.docx)).  *Please only submit for the implementer.* | 7. |

*Key/caption for the following pages:*



*Please fill in the required information here*

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| 1. Legal personality  1.1 Proof of legal personality (confirmation of the legal independence of your organisation) Please submit a proof of the legal forms of your own organisation and of all implementing partners as ***Annex G***.  ***German recipients:*** Please submit an excerpt from the valid statutes or the commercial register (Gültige Satzung und/oder Handelsregisterauszug)  ***Non-German recipients:*** Please provide evidence of the legal form by submitting:   * Excerpt from the (commercial) register **and/or** * Articles of Association **and/or** * A valid statute, **or** * Other proof according to the respective requirement of the relevant national regulations (local law, certificates of incorporation, registration information, decrees and, if applicable, tax numbers) * *You do not need to send several evidence if one type of document is clearly convincing! Please hand in an English /German translation as well.*   Nach rechts zeigender Finger, Handrücken Silhouette  To which category does your organisation belong:  Non-governmental organisations  Universities, academic and educational institutions  Regional and local authorities  Non-profit enterprises   1. Public-benefit status  2.1 Limited tax liability *For recipients and implementing partners outside of Germany only!*  Are the recipient or any of the implementing partners subject to limited tax liability in Germany? An example would be an organisation that is not based in Germany distributes its products or services in Germany and generates income. In this case, this organisation would possibly be subject to limited tax liability under German law.  Nach rechts zeigender Finger, Handrücken Silhouette  Yes.  In this case, please describe which organisation this applies to:  [Name of implementing partner 1]  [Name of implementing partner 2]  [Name of implementing partner 3]  [Name of implementing partner 4]  No. 2.2 Proof of non-profit status Please submit a proof of the non-profit statutes of your own organisation and of all implementing partners as ***Annex H.***  ***German recipients:*** Current certificate of exemption/corporation tax assessment, the assessment notice or a provisional certificate of exemption issued by the responsible tax office (Freistellungsbescheid/Körperschaftssteuerbescheid; Feststellungsbescheid oder vorläufige Freistellungsbescheinigung des zuständigen Finanzamts)  ***Non-German recipients*:** Please submit evidence of the non-profit status of your organisation in form of:   * Statute/articles of association **or** * Other proof (e.g. explicit register entry) * *You do not need to send several evidence if one type of document is clearly convincing! Please hand in an English /German translation as well!* |

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| 1. Accounting  3.1 Accounting system Please officially state whether your software-based accounting system meets the national standard in your country by signing ***Annex I*** (see link in the Annex checklist above). 3.2 Revenue and financial statements Are your financial statements audited / prepared by an auditor?  Nach rechts zeigender Finger, Handrücken Silhouette  Yes  No  Nach rechts zeigender Finger, Handrücken Silhouette  Financial revenue of the last three years:  Year:       revenue:       EUR / If applicable, revenue in national currency:  Year:       revenue:       EUR / If applicable, revenue in national currency:  Year:       revenue:       EUR / If applicable, revenue in national currency:  Average revenue:       EUR / If applicable, revenue in national currency:  Exchange rate used for each year respectively:  Please submit your annual financial statements for the last three years (as ***Annex J***) and note that the revenues entered above must be traceable and therefore visibly highlighted in those documents.  *Important note:* If your annual financial statements are subjected to an external audit according to your national standards, you must submit at least the last of the three audited financial statements with the official audit certificate.  If not, please attach three lawful annual financial statements and a declaration that your financial statements are not subject to auditing as well as a reference to the according legal basis. 3.3 Commercially qualified staff Nach rechts zeigender Finger, Handrücken Silhouette  Is your software-assisted accounting system operated by **qualified**  inhouse staff or  external staff?  Qualification of the accounting staff responsible for the operation of the accounting system (inhouse or external):  What function and qualification/degree does the staff member has?  Years of experience in accounting?  If you have external accounting staff working for you, please explain why, as well as the nature of your collaboration and the contractual basis: 3.4 Time recording system Nach rechts zeigender Finger, Handrücken Silhouette  Do you have an electronic or manual time recording system, which allows you to allocate working hours to single projects?  electronic  manual  will be implemented  Please note: If you do not have an electronic or manual time recording system yet, you must implement one at the start of your project. In this case, please fill out and sign ***Annex K*** (see link in the Annex checklist above). |

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| 1. Contract award procedure for supplies and services and example documentation   Please submit the guidelines/standards or your organisation regarding the awarding of contracts for supplies and services as well as an English translation as ***Annex L***.  Please confirm that these internal regulations comply with national standards. Should the regulations be more lenient than those of the giz, the latter will be adopted for the awarding of any contracts for supplies and services.  Nach rechts zeigender Finger, Handrücken Silhouette  Yes  No  *Please familiarize yourself already at this stage with the giz procurement standards to be aware of our rules and regulations. Please carefully read through the sample contracts for either a* [*grant agreement*](https://www.euki.de/wp-content/uploads/2022/05/Example-of-a-grant-agreement_EUKI_Call-6.pdf)*, article 6 (implementers from outside of Germany) or a* [*Zuschussvertrag*](https://www.euki.de/wp-content/uploads/2022/05/Beispiel-Zuschussvertrag-im-Rahmen-der-EUKI-Call-6.pdf)*, Punkt 6 (German implementers).*  *Ausrufezeichen mit einfarbiger Füllung*  *Please note that the contract and its annexes are currently being fundamentally revised regarding the settlement of project costs, the settlement periods, and the contract award procedure. You will probably only be able to view revised contract components when you sign your contract. Thank you very much for your understanding.*  In case procurements of goods and services are planned, please confirm that you have previous experience with a proper awarding of contracts for supplies and services.  Nach rechts zeigender Finger, Handrücken Silhouette  Yes  No  To prove your experience, please submit one example procurement documentation as ***Annex L***. Please include information about the service, the (price) offers and decision criteria on contract awards as well as proof which offer was finally taken, showing the compliance with the above-mentioned awarding standards. |

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| 1. Internal and external control  5.1 Internal control *(An* ***internal*** *control system consists of a set of coherent technical and organisational rules for methodical*  *management and in-house checks in order to ensure compliance with guidelines and prevent damage that*  *might be caused by the organisation’s own staff or malicious third parties. Measures may be undertaken*  *independently of processes in the form of retrospective checks, or as process-oriented preventive rules.)*  Internal control measures are obligatory to obtain EUKI funding.  Please fill in the checklist of the internal control measures in the implementer’s organisation and submit it as ***Annex M*** (see link in the Annex checklist above). 5.2 External control *(****External*** *control is an auditing procedure under which external auditing firms examine quality assurance*  *systems of auditees. External control is not performed by an internal staff member of the potential recipient,*  *but by an external third party.)*  Nach rechts zeigender Finger, Handrücken Silhouette  Are there external control mechanisms taking place regularly at your organisation?  Yes  No.  Please provide a brief description of these external control bodies:  If you have any external audit reports from projects of other donors available (see also chapter 6.2), please submit them as ***Annex N***. |

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| 1. Previous experience   **6.1 Current/previous contracts with GIZ**  **Nach rechts zeigender Finger, Handrücken Silhouette**  Did the ***implementer*** receive any other financing contracts from GIZ **in the past 3 years**?  Yes No  If yes, please provide the following information:   |  |  |  |  | | --- | --- | --- | --- | | Name of grant recipient, as written in the contract | GIZ contract no. (starts with 812XXXXX) | Project title | Role in the project (implementer or implementing partner) | |  |  |  |  | |  |  |  |  | |  |  |  |  |   **6.2 Other donors / programmes**  Please submit information on experiences with other donors or programmes as **Annex O**.  The information on experience in technical and administrative implementation of earlier financing (within the last 4 years) should include the following information:   * donor/programme * duration * topic * your organisation’s role (implementer/partner) * financial volume of the project (if you are/were in the role of a partner: your share)   Please do not list more than 3-5 meaningful references.  If you have audit reports of these projects available, please submit them as **Annex N** (see point 5.2). |

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| 1. Compliance with the law and anti-corruption   Please make an official statement regarding compliance with the law and anti-corruption by filling in and signing ***Annex P*** (see link in the Annex checklist above).   1. Confirmation of your responsibility as an EUKI implementer   Are you aware that you have to create a self-designed consortium agreement with your implementing partners and that you are responsible for the financial management of each partner?  Nach rechts zeigender Finger, Handrücken Silhouette  Yes |

I hereby confirm that the information provided in the CLI and its annexes are true and complete.

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Place, date Legally binding signature

[Name of the authorised officer]

Stamp

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH has been commissioned by the German Federal Ministry for Economic Affairs and Climate Action (BMWK) with the implementation of the European Climate Initiative. Funds will be disbursed by means of a Zuschussvertrag - for implementers legally registered in Germany - or Grant Agreements - for implementers from outside Germany.

Model contracts are available for download on the EUKI website: <https://www.euki.de/en/project-financing/>