###### **MODULO DI DOMANDA**

###### ***polizza LAVORI***

**Versione 2022/1**

Spett.le SACE S.p.A.

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| **Sede di Venezia – Mestre ⁯** | **Sede di Bologna ⁯** |
| Via Torino, 105 E - 30172 Venezia - Mestre | Via Marco Emilio Lepido, 182/2 - 40132 |
| **Sede di Milano ⁯** | **Sede di Roma ⁯** |
| Via San Marco, 21/A - 20121 Milano | Piazza Poli, 37/42 - 00187 Roma |

Richiedente **\***:

Indirizzo **\***:

Persona di riferimento **\***: N. Telefono **\***:

N. Fax **\***: Indirizzo e-mail [[1]](#footnote-1)**\***:

***(I campi contrassegnati con \* si intendono obbligatori e relativi alla società Richiedente)***

Richiesta di:

- Polizza assicurativa **⁯**

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| INFORMAZIONI SULLA COMPILAZIONE DEL MODULO  *Tutti i campi della presente Richiesta dovranno essere obbligatoriamente compilati.*  *Nel caso in cui lo spazio non sia sufficiente, fornire le informazioni ulteriori in forma di allegato su carta intestata del Richiedente.*  ***Il Richiedente ha l’obbligo di comunicare immediatamente non appena ne abbia conoscenza qualsiasi variazione non meramente formale alle informazioni e dichiarazioni rese ai sensi del presente modulo.***  ***Con la sottoscrizione del presente modulo, l’Esportatore riconosce espressamente che negli scambi documentali e nell’ambito delle comunicazioni con SACE in nessun caso potrà fare affidamento sul rilascio di una copertura fino a quando SACE non avrà confermato per iscritto e in via definitiva l’avvenuta approvazione da parte dei propri organi deliberanti e degli altri soggetti competenti. L’Esportatore prende inoltre atto che, ferma restando la necessità dell’approvazione dei competenti organi deliberanti e degli altri soggetti competenti, il rilascio di una copertura è subordinato tra l’altro (i) alla trasmissione di documentazione ritenuta soddisfacente per SACE, (ii) alla positiva conclusione della due diligence comprensiva delle usuali verifiche know your customer/anti-corruzione, nonché (iii) al non verificarsi di mutamenti pregiudizievoli nella situazione politica, economica e finanziaria del paese di riferimento dell’operazione.***  ***L’Esportatore prende altresì atto che SACE farà affidamento sulle informazioni e dichiarazioni ricevute ai fini dell’eventuale rilascio di una copertura e, in tal senso, garantisce che tutte le informazioni e le dichiarazioni rese nel presente modulo o nel corso dell’istruttoria sono e saranno complete, veritiere e corrette in ogni aspetto sostanziale, essendo a conoscenza delle conseguenze di legge derivanti dall’aver fornito dichiarazioni mendaci o non veritiere, anche ai sensi degli articoli 75 e 76 del DPR 28 dicembre 2000, n. 445 e di quanto previsto dal codice penale, ivi inclusi i reati di falso e di truffa.***  ***L’Esportatore dichiara di aver ricevuto il documento denominato “KNOW YOUR CUSTOMER: INFORMATIVA REPUTAZIONALE” e prende atto: (1) degli obblighi informativi ivi previsti a proprio carico, confermando l’impegno a trasmettere su richiesta di SACE le informazioni nella propria disponibilità; nonché (2) dei diritti delle parti interessate e di SACE ivi disciplinati.***  ***L’Esportatore si impegna altresì ai sensi degli art. 1892 e 1893 c.c. a trasmettere a SACE informazioni esatte, veritiere ovvero corrispondenti a quanto emerge dalle dichiarazioni scritte fornite da terzi.***  ***La copertura sarà rilasciata da SACE in nome proprio e per conto dello Stato, in ragione delle rispettive quote, ai sensi di quanto previsto dal Decreto Legge n. 23 dell’8 aprile 2020, convertito con modificazioni dalla Legge n. 40 del 5 giugno 2020, che ha modificato l’articolo 6 del Decreto Legge n. 269 del 30 settembre 2003 convertito con modificazioni dalla Legge n. 326 del 24 novembre 2003. Conseguentemente le dichiarazioni e gli impegni di cui al presente modulo sono, e devono intendersi, rese e assunti, per il tramite di SACE, anche in favore dello Stato. Resta inteso che qualsiasi comunicazione connessa al presente modulo dovrà essere rivolta unicamente a SACE.*** |

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| **1. SOGGETTI[[2]](#footnote-2)** | |
| * + - 1. ESPORTATORE   *(Ragione sociale, Indirizzo)* |  |
| * + - 1. COMMITTENTE   *(Ragione sociale, Indirizzo)* |  |
| * + - 1. DEBITORE   *(Ragione sociale, Indirizzo)* |  |
| * + - 1. GARANTE   *(Ragione sociale, Indirizzo)* |  |
| * + - 1. *DESTINATARIO DELLA FORNITURA[[3]](#footnote-3)*   *(Ragione sociale, Indirizzo)* | [ ] |

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| **2. CONTRATTO DI FORNITURA - APPALTO** | | | | | | | | | | | | | | |
| i. Oggetto del contratto |  | | | | | | | | | | | | | |
| ii. Paese di destinazione |  | | | | | | | | | | | | | |
| iii. Indicare se il contratto e/o la fornitura ricade nell’ambito di applicazione di normativa nazionale, estera, europea e/o internazionale o di misure restrittive e/o in materia di sanzioni applicabili in relazione alle parti coinvolte nell’operazione, al Paese di destinazione e/o alle categorie merceologiche dei beni e servizi oggetto della fornitura: | * Regolamento UE 833/2014 concernente misure restrittive nei confronti della Russia e relativi provvedimenti attuativi, come di volta in volta modificati e/o integrati.   Qualora applicabile, indicare se il contratto e/o la fornitura siano soggetti, o includano beni, servizi, *software* o tecnologie soggetti, ad autorizzazione preventiva o notifica ai sensi del Regolamento (UE) 833/2014: **[SI/NO]**   * Regolamento (UE) 359/2011 e/o Regolamento (UE) 267/2012 concernenti misure restrittive nei confronti dell’Iran e relativi provvedimenti attuativi, come di volta in volta modificati e/o integrati.   Qualora applicabili, indicare se il contratto e/o la fornitura siano soggetti, o includano beni, servizi, software o tecnologie soggetti, ad autorizzazione preventiva o notifica ai sensi del Regolamento (UE) 359/2011 e/o del Regolamento (UE) 267/2012: **[SI/NO]**   * Regolamento (UE) 692/2014 concernente misure restrittive nei confronti della Crimea e relativi provvedimenti attuativi, come di volta in volta modificati e/o integrati.   Qualora applicabile, indicare se il contratto e/o la fornitura siano soggetti, o includano beni, servizi, software o tecnologie soggetti, ad autorizzazione preventiva o notifica ai sensi del Regolamento (UE) 692/2014: **[SI/NO]**   * Regolamento (UE) n. 263/2022 concernente misure restrittive nei confronti delle zone di Donetsk e Luhansk dell'Ucraina e relativi provvedimenti attuativi, come di volta in volta modificati e/o integrati.   Qualora applicabile, indicare se il contratto e/o la fornitura siano soggetti, o includano beni, servizi, software o tecnologie soggetti, ad autorizzazione preventiva o notifica ai sensi del Regolamento (UE) n. 263/2022: **[SI/NO]**   * Regolamento (UE) 765/2006 concernente misure restrittive nei confronti della Bielorussia e relativi provvedimenti attuativi, come di volta in volta modificati e/o integrati.   Qualora applicabile, indicare se il contratto e/o la fornitura siano soggetti, o includano beni, servizi, software o tecnologie soggetti, ad autorizzazione preventiva o notifica ai sensi del Regolamento (UE) n. 765/2006: **[SI/NO]**   * [il seguente provvedimento adottato da un’Autorità Sanzionatoria[[4]](#footnote-4): [indicare estremi del provvedimento e l’eventuale regime applicabile (quali autorizzazioni, licenze o notifiche preventive)]   *[In caso di risposta affermativa ad una delle voci sopra indicate, fornire i dettagli relativi al tipo di notifica, di autorizzazione e/o altro provvedimento e alla relativa autorità competente ai sensi dei Regolamenti applicabili. Nel caso la notifica sia stata effettuata e/o l’autorizzazione e/o altro provvedimento sia stato rilasciato, una copia conforme deve essere allegata al presente modulo]* | | | | | | | | | | | | | |
| iv. Importo |  | | | | | | | | | | | | | |
| 1. Descrizione delle componenti del Contratto[[5]](#footnote-5) |  | | | | | | | | | | | | | |
| i. Componente italiana | DESCRIZIONE | | | | VALUTA E IMPORTO | | | | | | % sul totale | | | |
| - Beni |  | | | |  | | | | | |  | | | |
| - Servizi |  | | | |  | | | | | |  | | | |
| - altro (specificare) |  | | | |  | | | | | |  | | | |
|  |  | | | | Sub-totale | | | | | | % | | | |
| ii. Componente UE |  | | | |  | | | | | |  | | | |
| - Beni |  | | | |  | | | | | |  | | | |
| - Servizi |  | | | |  | | | | | |  | | | |
| - altro (specificare) |  | | | |  | | | | | |  | | | |
|  |  | | | | Sub-totale | | | | | | % | | | |
| iii. Componente Extra UE |  | | | |  | | | | | |  | | | |
| - Beni |  | | | |  | | | | | |  | | | |
| - Servizi |  | | | |  | | | | | |  | | | |
| - altro (specificare) |  | | | |  | | | | | |  | | | |
|  |  | | | | Sub-totale | | | | | | % | | | |
| iv. Spese locali |  | | | |  | | | | | |  | | | |
| - forza lavoro locale e materiali da costruzione di base (es. sabbia, cemento, ghiaia) |  | | | |  | | | | | |  | | | |
| - beni prodotti localmente |  | | | |  | | | | | |  | | | |
| - servizi (diversi dal lavoro) |  | | | |  | | | | | |  | | | |
|  |  | | | | Sub-totale | | | | | | % | | | |
|  |  | | | | **IMPORTO TOTALE** | | | | | |  | | | |
| i. Indicare se si tratta di sub-contratto relativo ad un contratto principale |  | | | | | | | | | | | | | |
| ii. Importo totale e descrizione del contratto principale |  | | | | | | | | | | | | | |
| iii. Indicare le modalità di pagamento dell’importo totale del contratto principale |  | | | | | | | | | | | | | |
| iv. Elenco Partecipanti/Subfornitori  (Paese e quota %) |  | | | | | | | | | | | | | |
| v. Subfornitore italiano: | * nominato nel contratto principale **Si/No**   accettato formalmente dall’Acquirente **Si/No** | | | | | | | | | | | | | |
| vi. Responsabilità contrattuali verso il Committente principale | **Sì/No** (se Si specificare) | | | | | | | | | | | | | |
| 1. Altri esborsi all’estero | DESCRIZIONE | | | | | VALUTA E IMPORTO | | | | | | | % sul totale | |
| 1. Beni soggetti a licenza di esportazione | **Sì/No**  *(In caso di risposta affermativa, (i) fornire i dettagli relativi al tipo di licenza ed alla autorità competente al rilascio, (ii) allegare copia conforme della licenza se già rilasciata o in alternativa (iii) allegare copia della autorizzazione al proseguimento delle trattative)*  *Eventuali autorizzazioni e/o licenze alle trattative previste ai sensi della Legge 9 luglio 1990, n. 185 devono essere indicate anche nella presente sezione.)* | | | | | | | | | | | | | |
| 1. Questa commessa ricade nell’ambito di applicazione: 2. della normativa nazionale, estera, europea e/o internazionale applicabile all’Esportatore e/o al contratto commerciale concernente restrizioni all’esportazione, trasferimento e/o fornitura di prodotti e/o tecnologie a duplice uso e/o di servizi relativi agli stessi, ivi inclusi il Regolamento (UE) 2021/821 e il Decreto Legislativo 15 dicembre 2017 n. 221? 3. della Legge n. 185/1990 concernente le norme sul controllo dell'esportazione, importazione e transito dei materiali di armamento? | **Si/No**  (*In caso di risposta affermativa, fornire i dettagli relativi al tipo di autorizzazione e all'autorità competente al rilascio. Nel caso l’autorizzazione sia stata rilasciata, una copia conforme deve essere allegata al presente modulo*.)  **Si/No**  *(In caso di risposta affermativa, fornire i dettagli relativi al tipo di autorizzazione e all'autorità competente al rilascio. Nel caso l’autorizzazione sia stata rilasciata, una copia conforme deve essere allegata al presente modulo.)* | | | | | | | | | | | | | |
| g. Beni di origine statunitense o contenenti merce di origine statunitense | **(***In caso di risposta affermativa, indicare se la fornitura include beni, servizi, software o tecnologie vietate o soggette ad autorizzazione preventiva ai sensi della normativa statunitense applicabile. In caso di beni soggetti ad autorizzazione, fornire i dettagli relativi al tipo di licenza e alla autorità competente al rilascio. Nel caso la licenza sia stata rilasciata, una copia conforme deve essere allegata al presente modulo)* | | | | | | | | | | | | | |
| h. Data di firma del contratto | | Effettiva | | | | | | | Prevista | | | | | |
| j. Data di entrata in vigore del contratto | |  | | | | | | | | | | | | |
| k. Procedura di aggiudicazione  (gara internazionale[[6]](#footnote-6), gara ad inviti[[7]](#footnote-7), trattativa privata, licitazione privata, se altro specificare)  Specificare se è redatto secondo il modello FIDIC ultima versione | | **Sì/No** | | | | | | | | | | | | |
| l. Tipo di contratto  (indicare le obbligazioni contrattuali, tipo: chiavi in mano, appalto, posa in opera, se altro specificare) | |  | | | | | | | | | | | | |
| m. Termini di resa (Incoterms)  (solo nel caso di fornitura con posa in opera) | |  | | | | | | | | | | | | |
| n. TERMINI DI PAGAMENTO CONTRATTUALI  (anticipato – c/documenti spedizione – c/fatture – durante l’approntamento – al collaudo – all’accettazione provvisoria – trattenute a garanzia – S.A.L. – milestone – se altro specificare)  *(In caso di più valute con modalità di pagamento diverse replicare la tabella)* | | MODALITA’  DI PAGAMENTO | | | MEZZO  DI PAGAMENTO [[8]](#footnote-8) | | | | | IMPORTO | | | | % sul totale |
|  | | |  | | | | |  | | | |  |
| o. TERMINI DI ESECUZIONE DEL CONTRATTO  (Studi e Progettazioni – Spedizioni – Lavori – Montaggi – Collaudo – Accettazione Provvisoria – Accettazione Definitiva – se altro specificare)  *(Nel caso di sub o cofornitura ripetere le informazioni per la fornitura principale)* | | TIPO DI  PRESTAZIONE | | | INIZIO  (gg/mm/aaaa) | | | | | COMPLETAMENTO  (gg/mm/aaaa) | | | | DURATA  (mesi) |
|  | | |  | | | | |  | | | |  |
| p. ALTRE CLAUSOLE CONTRATTUALI   1. Rilascio Fideiussioni | | TIPOLOGIA | | AMMONTARE | | | DATA  EMISSIONE | | | | | DATA  SVINCOLO | | DURATA  (mesi) |
|  | |  | | |  | | | | |  | |  |
| 1. Variation orders[[9]](#footnote-9) | | **Sì/No** | | | | | | | | | | | | |
| 1. Clausola revisione prezzi[[10]](#footnote-10) | | **Sì/No** | | | | | | | | | | | | |
| 1. Penali | | AMMONTARE STIMATO | | | | | | % MISURA MASSIMA | | | | | | |
|  | | | | | |  | | | | | | |
| v. Contingencies[[11]](#footnote-11) | |  | | | | | |  | | | | | | |
| q. MODALITA’ RISOLUZIONE CONTROVERSIE | | | | | | | | | | | | | | |
| i. arbitrato internazionale | | | Sede:  Regolamento applicabile: | | | | | | | | | | | |
| - giurisdizione ordinaria | | | Foro competente: | | | | | | | | | | | |
| - altro: | | |  | | | | | | | | | | | |
| ii. Legge applicabile: | | |  | | | | | | | | | | | |

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| **3. GARANZIE** | |
| 1. Garanzie   - natura della garanzia  (Lettera di garanzia, altro) |  |
| - Requisiti (incondizionata, irrevocabile, a prima richiesta) |  |
| - Modalità di risoluzione delle controversie  (legge applicabile, sede in caso di arbitrato, foro competente in caso di giurisdizione ordinaria) |  |
| - nel caso di garanzia di pagamento: quota garantita (%)[[12]](#footnote-12) |  |
| b. Garanzie accessorie | **Sì/No**  *(Se Si descrivere le tipologia, le caratteristiche e le modalità di escussione)* |

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| **4. ULTERIORI INFORMAZIONI RELATIVE ALLA VALUTAZIONE DEL RISCHIO** | | | |
| 1. Quota non assicurata a carico del richiedente | **Sì/No** *(Se Si indicare se in misura parziale o totale; se No indicare eventuali controgaranzie secondo lo schema seguente)* | | |
| SOGGETTO | QUOTA | TIPOLOGIA |
|  |  |  |
| 1. Piano finanziario dell’operazione | Indicare se il contratto è finanziato esclusivamente con mezzi propri del Committente o con altre fonti (nel caso specificare) | | |
| 1. Altre informazioni | ***Fornire ogni informazione utile ai fini della valutazione complessiva dell’operazione e della definizione del profilo di rischio.*** | | |

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| Rischio di Produzione -  Rischio del Credito –  - Massimale (importo)[[13]](#footnote-13):  - Stima Revisione prezzi (%): | In caso di Acquirente privato:  - EGS solo commerciali  - EGS solo politici  - EGS commerciali e politici  In caso di Acquirente pubblico Sovrano o non Sovrano:  - EGS commerciali e politici |
| Rischio di mancata restituzione di cauzioni, depositi o anticipazioni  - Importo richiesto11: | In caso di Acquirente privato:  - EGS solo commerciali  - EGS solo politici  - EGS commerciali e politici  In caso di Acquirente pubblico Sovrano o non Sovrano:  - EGS commerciali e politici |
| Rischio di Indebita Escussione di Fideiussioni  - Importo richiesto11: | - EGS proprio del rischio |
| Rischio di distruzione, danneggiamento –- Rischio di requisizione, confisca, ecc. – vedi nota per documentazione [[14]](#footnote-14)  - Importo richiesto (in euro): | - EGS i  - EGS proprio del rischio |

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| **5. SCREENING AMBIENTALE** | |
| 1. Descrizione del progetto di destinazione della fornitura (per progetto si intende lo stabilimento produttivo o l’infrastruttura dove verrà utilizzata la fornitura) |  |
| 1. Dettagli del progetto di destinazione della fornitura | Paese:  Località:   Il progetto è esistente e operativo   Il progetto è nuovo o in costruzione  La capacità produttiva è:  La variazione della capacità produttiva è  (in caso di progetto esistente): |
| 1. Descrizione dell’area del progetto |  |
| 1. Inoltre, specificare:  * Area industriale * Presenza nel raggio di 5 km dall’area del progetto di: (i) Parchi Nazionali ed altre aree protette identificate da leggi nazionali od internazionali; (ii) aree umide, foreste ad elevato valore di biodiversità; (iii) aree ad elevato interesse archeologico o culturale |  SI  NO   SI  NO |
| 1. Il progetto coinvolge:  * Espropri e/o acquisizioni forzate di terreni * Spostamento fisico di villaggi, comunità o gruppi numerosi di residenti (*resettlement*) * Rischio di lavoro forzato * Impiego di un elevato numero di lavoratori migranti (rischio di *modern slavery*) * Rischio di lavoro minorile * Aree di conflitto[[15]](#footnote-15) (e.g. etnico, politico, religioso) * Popolazioni indigene o altri gruppi sociali minoritari e vulnerabili |  SI  NO   SI  NO   SI  NO   SI  NO   SI  NO   SI  NO   SI  NO |
| 1. Disponibilità di studi ambientali   (specificare e/o allegare) |  |
| 1. Partecipazione di altre ECAs   (Se Si, indicare quali) |  |

***Dati Analitici***

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| **1. ESPORTATORE ITALIANO[[16]](#footnote-16)**  Ragione sociale:  Forma Giuridica: Data Costituzione:  Provincia e Numero CCIAA:  Indirizzo sede legale:  CAP: Città: Stato:  Indirizzo sede amministrativa (se diverso):  CAP: Città: Stato:  Indirizzo sede operativa (da indicare se diversa dalla sede legale e/o amministrativa): |

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| vedi sede legale ⁯  vedi sede amministrativa ⁯  CAP: Città: Stato:   1. Partita IVA/VAT Code o info equivalente: **Codice fiscale**: Sito Internet:   ABI: CAB: Data Costituzione:   1. Codice SWIFT:   Codice ATECO Azienda: PMI: SI NO  Oggetto sociale:  Banche di riferimento:  **Persona incaricata dei rapporti con SACE**:  Nominativo:  Indirizzo:  CAP: Città: Stato:  N° Telefono: N° fax: E-mail: |
| Denominazione Consorzio/RTI[[17]](#footnote-17):  Indirizzo: Città: Stato:  Elenco partecipanti: quota %   1. Dati obbligatori 2. Dati obbligatori se trattasi di Soggetto estero. |

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| **2. DEBITORE[[18]](#footnote-18)** |
| Ragione Sociale:  Forma Giuridica: Data Costituzione (se Banca):  Indirizzo sede legale:  CAP: Città: Stato:  N° Telefono: N° fax: E-mail:  Sito Internet:  Indirizzo sede amministrativa (se diverso):  CAP: Città: Stato:  Codice SWIFT (se banca): |

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| **3. ACQUIRENTE[[19]](#footnote-19)** |
| Ragione Sociale:  Forma Giuridica:  Indirizzo sede legale:  CAP: Città: Stato:  N° Telefono: N° fax: E-mail:  Sito Internet:  Indirizzo sede amministrativa (se diverso):  CAP: Città: Stato: |

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| **4. GARANTE** |
| Ragione Sociale:  Forma Giuridica: Data Costituzione (se Banca):  Indirizzo sede legale:  CAP: Città: Stato:  N° Telefono: N° fax: E-mail:  Sito Internet:  Indirizzo sede amministrativa (se diverso):  CAP: Città: Stato:  Codice SWIFT (se Banca): |

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| **5. DESTINATARIO DELLA FORNITURA[[20]](#footnote-20)** |
| Ragione Sociale:  Forma Giuridica: Data Costituzione (se Banca):  Indirizzo sede legale:  CAP: Città: Stato:  N° Telefono: N° fax: E-mail:  Sito Internet:  Indirizzo sede amministrativa (se diverso):  CAP: Città: Stato:  Codice SWIFT (se Banca): |

1. L’Esportatore dichiara agli effetti degli artt. 1892 e 1893 del Codice Civile, che tutte le indicazioni fornite nella presente Richiesta sono corrispondenti a verità e che non è stata taciuta, omessa o alterata alcuna circostanza di cui l’Esportatore sia a conoscenza.
2. L’Esportatore si impegna a comunicare a SACE S.p.A. qualsiasi variazione che possa intervenire successivamente alla compilazione della presente Richiesta.
3. L’Esportatore prende atto che SACE S.p.A. è tenuta a mantenere riservate e confidenziali tutte le informazioni ad essa fornite con la presente Richiesta, salvo che tali informazioni siano necessarie per la tutela dei propri interessi o vengano richieste dalle Autorità competenti. SACE S.p.A. potrà comunicare le informazioni relative all’operazione: (a) a proprie società controllate e collegate; (b) al Ministero dell’Economia e delle Finanze e agli altri Ministeri (e relativi dipartimenti), ai comitati ministeriali e interministeriali e ad ogni altro comitato, autorità, commissione, agenzia, organismo o ente governativo; (c) a soggetti fornitori di *risk enhancement* o controgaranzie/riassicurazioni (inclusi i loro agenti, *broker* o consulenti) che abbiano assunto nei confronti di SACE un impegno di riservatezza (fatto salvo il caso in cui tali soggetti siano tenuti a riservatezza professionale), (d) ai fini della operatività della garanzia dello Stato nei confronti di SACE S.p.A e/o del regime di coassicurazione tra SACE S.p.A. e lo Stato ai sensi dell’articolo 6 del Decreto Legge 269/2003 e/o ai sensi dell’art. 2 Decreto Legge 8 aprile 2020 n. 23, convertito con modificazioni dalla Legge 5 giugno 2020 n. 40, (e) successivamente al pagamento dell’indennizzo ai sensi della polizza, o (f) con il consenso dell’Esportatore, che non potrà essere irragionevolmente negato.
4. L’Esportatore è a conoscenza del fatto che il contratto di fornitura e la garanzia eventualmente prestata devono rispettare le prescrizioni della legge italiana ed estera ed in particolare le disposizioni penali ed amministrative ivi compreso il decreto legislativo 231/2001.
5. L’Esportatore dichiara, per quanto di sua conoscenza e ad ogni effetto di legge[[21]](#footnote-21):

□ che non sono state emesse negli ultimi cinque anni misure amministrative e/o interdittive e/o altre misure cautelari e/o sentenze di condanna a suo carico per reati di (i) corruzione ai sensi della Convenzione dell'OCSE (Organizzazione per la Cooperazione e lo Sviluppo Economico) del 17 dicembre 1997 sulla lotta alla corruzione di pubblici ufficiali stranieri nelle operazioni economiche internazionali (la “**Convenzione**”), (ii) di corruzione nazionale e/o (iii) di corruzione tra privati; oppure

□ che in data [●] è intervenuto un provvedimento giudiziario e/o un’altra misura amministrativa e/o interdittiva e/o cautelare a suo carico per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati[[22]](#footnote-22);

□ che non sono state emesse, negli ultimi cinque anni, nei confronti di soggetti agenti per suo conto misure amministrative e/o interdittive e/o altre misure cautelari e/o sentenze di condanna relativamente all'operazione per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati; oppure

□ che in data [●] è intervenuto un provvedimento giudiziario e/o un’altra misura amministrativa e/o interdittiva e/o cautelare, a carico di soggetti agenti per suo conto relativamente all’operazione per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati[[23]](#footnote-23);

□ che attualmente non sono pendenti procedimenti giudiziari e/o non sono formalmente in corso indagini penali a suo carico per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati; oppure

□ che attualmente sono pendenti procedimenti giudiziari e/o sono formalmente in corso indagini penali a suo carico per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati[[24]](#footnote-24);

□ che attualmente non sono pendenti procedimenti giudiziari, e/o non sono formalmente in corso indagini penali, a carico di soggetti agenti per suo conto relativamente all’operazione per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati; oppure

□ che attualmente sono pendenti procedimenti giudiziari, e/o sono formalmente in corso indagini penali, a carico di soggetti agenti per suo conto relativamente all’operazione per reati di corruzione ai sensi della Convenzione, di corruzione nazionale e/o corruzione tra privati[[25]](#footnote-25);

□ di non essere incluso negli elenchi pubblicamente disponibili di imprese messe al bando dalla Banca Mondiale o da altri organismi finanziari multilaterali26; oppure

□ di essere incluso negli elenchi pubblicamente disponibili di imprese messe al bando dalla Banca Mondiale o da altri organismi finanziari multilaterali26;

F.

□ che i soggetti agenti per suo conto in relazione all’operazione non sono inclusi negli elenchi pubblicamente disponibili di imprese messe al bando dalla Banca Mondiale o da altri organismi finanziari multilaterali[[26]](#footnote-26); oppure

□ che i soggetti agenti per suo conto in relazione all’operazione sono stati inclusi negli elenchi pubblicamente disponibili di imprese messe al bando dalla Banca Mondiale o da altri organismi finanziari multilaterali26;

G.

□ di non essere Soggetto Sanzionato e di non essere posseduto o controllato da, o agire per conto di, Soggetti Sanzionati[[27]](#footnote-27); oppure

□ di essere Soggetto Sanzionato e/o di essere posseduto o controllato da, o agire per conto di, Soggetti Sanzionati.

6. L’Esportatore dichiara di essere:

□ un soggetto tenuto alla presentazione della documentazione antimafia[[28]](#footnote-28);

OPPURE

□ un soggetto esente dalla presentazione della documentazione antimafia ai sensi dell’articolo 83, comma 3, del D. Lgs. 159/2011[[29]](#footnote-29) in quanto:

[-] è ente o azienda vigilata dallo Stato o da altro ente pubblico ovvero società, impresa comunque controllata dallo Stato o da altro ente pubblico ovvero concessionario di opere pubbliche, ovvero

[-] è un soggetto, anche privato, il cui organo rappresentativo o quello avente funzioni di amministrazione e di controllo è sottoposto, per disposizione di legge o di regolamento, alla verifica di particolari requisiti di onorabilità tali da escludere la sussistenza di una delle cause di sospensione, di decadenza o di divieto di cui all’articolo 67 del D. Lgs. 159/2011.

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□ un soggetto esente dalla presentazione della documentazione antimafia alla luce del principio di equipollenza tra documentazione antimafia e iscrizione nella White List sancito dall’articolo 1, comma 52-bis, della Legge n. 190/2012, dichiara di essere regolarmente iscritta alla White List presso la Prefettura di \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in data \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. [[30]](#footnote-30)

7. L’Esportatore prende atto e accetta che SACE richiederà in relazione all’Esportatore la documentazione antimafia e che, ferme restando le conseguenze penali e amministrative derivanti, in caso di rilascio di un provvedimento di interdittiva antimafia l’Esportatore procederà ad attivare tempestivamente i rimedi previsti dal contratto di finanziamento (ivi inclusi, a seconda del caso, la risoluzione, il recesso o la decadenza dell’Esportatore dal beneficio del termine).

8. L’Esportator dichiara di:

□ aver adottato nell’ambito del proprio sistema di organizzazione, gestione e controllo un proprio codice etico ed un Modello Organizzativo ex D.lgs. 231/2001 alla cui osservanza è tenuto e di avere conoscenza delle leggi e degli atti normativi che regolano SACE e l’attività da essa svolta; oppure, ove l’impresa non abbia adottato un codice etico

□ conoscere, approvare ed impegnarsi ad osservare i principi fondamentali del codice etico adottato da SACE nell’ambito del proprio modello di organizzazione, gestione e controllo ai sensi del D.lgs. 231/2001 e di avere conoscenza delle leggi e degli atti normativi che regolano SACE e l’attività da essa svolta.

9. L’Esportatore dichiara inoltre di aver adottato presidi interni in materia di anticorruzione, nonchè in particolare adeguati sistemi di controllo periodico volti a prevenire e scoraggiare la corruzione nelle transazioni commerciali internazionali, supportati da un’adeguata formazione del personale e da sistemi di reporting e audit interno.

10. L’Esportatore dichiara e garantisce che l’Esportatore non ha commesso né commetterà, né direttamente né indirettamente tramite i rispettivi amministratori o soggetti agenti per proprio conto reati di corruzione ai sensi della Convenzione e/o di corruzione nazionale e/o corruzione tra privati relativamente all’operazione per la quale è richiesto l’intervento di SACE.

11. L’Esportatore dichiara che l’operazione per la quale è richiesto l’intervento di SACE non comporta il trasferimento all’estero delle attività di ricerca e sviluppo e prevede il mantenimento sul territorio nazionale della parte sostanziale delle attività produttive.

12. L’Esportatore dichiara che tutte le autorizzazioni eventualmente richieste in relazione al contratto commerciale sono state ottenute dall’Esportatore e sono valide ed efficaci. Qualora le dovute autorizzazioni non siano state ancora richieste e/o acquisite, l’Esportatore si impegna a presentare apposita istanza alle Autorità competenti e a darne tempestiva comunicazione a SACE, fornendo la relativa documentazione a supporto e tutte le informazioni e/o documenti che SACE dovesse ritenere ragionevolmente necessari in relazione ai prodotti/tecnologie/servizi soggetti a controllo.[[31]](#footnote-31)

13. L’Esportatore si impegna a (i) fornire, su espressa richiesta di SACE, la documentazione attestante l’esecuzione dell’esportazione oggetto del finanziamento, nonché tutte le ulteriori informazioni e/o documenti che SACE dovesse ritenere ragionevolmente necessari in relazione ai prodotti e/o tecnologie a duplice uso e/o servizi connessi agli stessi e/o alle relative autorizzazioni e (ii) a informare tempestivamente SACE della concessione delle autorizzazioni alle trattative e delle licenze/autorizzazioni previste ai sensi della normativa applicabile all’Esportatore e/o al Contratto Commerciale, concernente restrizioni all’esportazione, trasferimento e/o fornitura di prodotti e/o tecnologie e/o servizi connessi agli stessi (ivi inclusi la Legge 9 luglio 1990, n. 185, il Regolamento (UE) 2021/821 e il Decreto Legislativo 15 dicembre 2017 n. 221) nonché di qualsiasi sospensione, revoca, mancato rinnovo, mancata proroga, aggiornamento e/o di altre variazioni delle stesse, nonché a fornirne copia conforme.

14. L’Esportatore si impegna a fornire, su espressa richiesta di SACE, qualsiasi ulteriore informazione sulla titolarità effettiva e sulle condizioni finanziarie di qualsiasi altra persona o entità che sia altrimenti coinvolta nell’esecuzione del Contratto Commerciale.

15. L’Esportatore, inoltre, fornisce le seguenti informazioni:

* 1. l'identità di qualsiasi persona fisica o giuridica agente per conto dell’Esportatore ai sensi o in connessione con l’esecuzione del Contratto Commerciale;
  2. l'importo e lo scopo delle commissioni e degli onorari pagati, o da pagare, a tali persone; e
  3. il paese o la giurisdizione in cui le commissioni e gli onorari sono stati pagati, o devono essere pagati.[[32]](#footnote-32)

16. L’Esportatore si impegna a fornire, su espressa richiesta di SACE, tutte le ulteriori informazioni che SACE dovesse ritenere ragionevolmente necessarie al fine di valutare il potenziale coinvolgimento nei reati di corruzione ai sensi della Convenzione e/o di corruzione nazionale e/o corruzione tra privati, ivi incluse, a titolo meramente esemplificativo:

1. l'identità di qualsiasi persona fisica o giuridica agente per conto dell’Esportatore ai sensi o in connessione con l’esecuzione del Contratto Commerciale;
2. l'importo e lo scopo delle commissioni e degli onorari pagati, o da pagare, a tali persone; e
3. il paese o la giurisdizione in cui le commissioni e gli onorari sono stati pagati, o devono essere pagati.[[33]](#footnote-33)

17. L’Esportatore accetta che tutte le comunicazioni e/o documentazioni inviate da SACE saranno considerate valide ed efficaci se effettuate all’email e/o all’indirizzo indicato.

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(il legale rappresentante o soggetto delegato alla firma)

**CONSENSO AL TRATTAMENTO DEI DATI PERSONALI**

**LEGALE RAPPRESENTANTE/SOGGETTO DELEGATO**

Il/La Sottoscritto/a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in qualità di legale rappresentante/soggetto delegato alla firma della documentazione contrattuale, dichiara di aver preso visione dell'informativa privacy presente all'indirizzo <https://www.sace.it/trattamento-dati>, resa ai sensi degli artt. 13 e 14 del Regolamento 2016/679 (GDPR) e di averne reso edotti eventuali terzi di cui fornisce i dati.

Il trattamento dei dati personali per le finalità di marketing è effettuato in regime di Contitolarità, ai sensi dell'art. 26 del GDPR, da SACE e dalle Società controllate, esclusivamente previo espresso consenso dell'interessato.

Per quanto riguarda il trattamento dei propri dati personali relativamente all'attività di marketing (invio di materiale pubblicitario, vendita diretta, compimento di ricerche di mercato e comunicazione commerciale) e rilevazione di qualità anche attraverso tecniche di comunicazioni a distanza automatizzate (come email, sms, instant messaging) e tradizionali (come chiamate tramite operatore) della SACE e delle società del perimetro.

presta il consenso  nega il consenso

per quanto riguarda la comunicazione dei suoi dati personali a terzi a fini di informazione commerciale, indagini statistiche, ricerche di mercato, offerte dirette di loro prodotti e servizi effettuate attraverso modalità tradizionali di contatto e attraverso modalità automatizzate di contatto

presta il consenso  nega il consenso

Data \_\_\_ / \_\_\_ / \_\_\_\_\_\_ Firma \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Il consenso prestato potrà essere in ogni momento revocato scrivendo ai seguenti indirizzi di posta elettronica: [privacy@sace.it](mailto:privacy@sace.it), [privacy@sacebt.it](mailto:privacy@sacebt.it), [privacy@sacefct.it](mailto:privacy@sacefct.it), [privacy@sacesrv.it](mailto:privacy@sacesrv.it).

L'informativa privacy dovrà essere sottoscritta e allegata al presente modulo di domanda all'atto della presentazione dello stesso.

**ALLEGATO 1**

**Sub Allegato A) - Dichiarazione che deve essere resa dal legale rappresentante della Società**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

- che, ai sensi della vigente normativa antimafia, nei propri confronti non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 del d. lgs. n. 159/2011 e s.m.i.;

- ai sensi dell’art. 85, comma 3, del d. lgs n. 159/2011 e s.m.i., di avere i seguenti familiari conviventi di maggiore età[[34]](#footnote-34):

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
| città | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | | |

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| città | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | | |

**PARTE 2**

**[NOTA: REPLICARE LA DICHIARAZIONE PER CIASCUN SOGGETTO SOTTOPOSTO A VERIFICA]** [[35]](#footnote-35)

ai sensi e per gli effetti di cui all’art. 47 del DPR 445/2000, di essere a diretta conoscenza che, ai sensi della vigente normativa antimafia, nei confronti di [*nome e cognome*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in qualità di [*indicare ruolo*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_della società [∙] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ come sopra individuata, non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 deld. lgs. n. 159/2011 e s.m.i

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/provincia/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
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Familiari conviventi del soggetto sottoposto alla verifica antimafia, da indicare ai sensi dell’art. 85, comma 3, del decreto legislativo 6 settembre 2011, n.159[[36]](#footnote-36)

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| Sig./Sig.ra. | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(nome)* | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(cognome)* |

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| residenza | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   *(via/piazza/provincia/altro)* | Numero | |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  |  |  |  |   *(numero)* |
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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

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Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale**

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**ALLEGATO 2**

**Sub Allegato B[[37]](#footnote-37)) - Dichiarazione che deve essere resa da ciascun soggetto sottoposto alla verifica antimafia ai sensi dell’art. 85, del decreto legislativo 6 settembre 2011, n. 159[[38]](#footnote-38)**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

- che, ai sensi della vigente normativa antimafia, nei propri confronti non sussistono le cause di divieto, di decadenza o di sospensione previste dall’art. 67 del d. lgs. n. 159/2011 e s.m.i.;

- ai sensi dell’art. 85, comma 3, del d. lgs n. 159/2011 e s.m.i., di avere i seguenti familiari conviventi di maggiore età[[39]](#footnote-39):

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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

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Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale.**

**ALLEGATO 2**

**Sub Allegato C)[[40]](#footnote-40) - Dichiarazione che deve essere resa dal legale rappresentante della Società nel caso in cui non occorre richiedere la documentazione antimafia**

**MODELLO DI DICHIARAZIONE**

**articoli 46 e 47 del decreto del Presidente della Repubblica 28 dicembre 2000, n. 445, recante *“Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa”***

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**consapevole delle sanzioni previste dall’art. 76, del d.P.R. n. 445/2000 in caso di dichiarazioni mendaci e della decadenza dai benefici conseguenti al provvedimento emanato sulla base di dichiarazioni non veritiere di cui all’art. 75, del d.P.R. n. 445/2000**

**DICHIARA SOTTO LA PROPRIA RESPONSABILITÀ**

che la documentazione antimafia non è richiesta in quanto:

**a)** **ricorre l’ipotesi indicata**:

nell’art. 83, comma 3, lettera a), del d. lgs. 6 settembre 2011, n. 159, e s.m.i.

nell’art. 83, comma 3, lettera b), del d. lgs. 6 settembre 2011, n. 159 e s.m.i.

**b)** **la società** **è regolarmente iscritta, con iscrizione in corso di validità:**

nell'elenco dei fornitori, prestatori di servizi ed esecutori di lavori di cui all’[art. 1, commi 52 e seguenti, della legge 6 novembre 2012, n. 190](http://bd01.leggiditalia.it/cgi-bin/FulShow?TIPO=5&NOTXT=1&KEY=01LX0000776418ART13), presso la Prefettura di \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ con data di fine validità \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

nell'Anagrafe antimafia degli esecutori istituita dall’[art. 30, del decreto-legge 17 ottobre 2016, n. 189](http://bd01.leggiditalia.it/cgi-bin/FulShow?TIPO=5&NOTXT=1&KEY=01LX0000839032ART63), convertito, con modificazioni, dalla legge 15 dicembre 2016, n. 229, con data di fine validità \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

La Società si impegna a fornire immediata comunicazione di eventuali variazioni intervenute riguardanti il titolo di esclusione[[41]](#footnote-41), che comportano la necessità di sottoscrivere la dichiarazione prevista in Allegato A) o l’eventuale rinnovo della validità delle iscrizioni nei predetti elenchi.

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Il/la sottoscritto/a dichiara inoltre di essere informato/a, ai sensi della vigente normativa in materia di protezione di dati personali, che i dati raccolti saranno trattati, anche con strumenti informatici, esclusivamente nell’ambito del procedimento per il quale la presente dichiarazione viene resa.

ESTREMI DEL DOCUMENTO DI RICONOSCIMENTO

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Il dichiarante

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(firma leggibile)

In fede,

Luogo e data

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**Il presente documento dovrà essere sottoscritto digitalmente. Qualora non si disponga di firma digitale, il dichiarante sarà tenuto a sottoscrivere il presente documento con firma autografa e ad inviarne copia PDF allegando copia del proprio documento d’identità e codice fiscale.**

1. SACE si riserva di inviare comunicazioni e/o documentazioni all’indirizzo e-mail specificato sulla base di quanto indicato nel punto 5) delle dichiarazioni. [↑](#footnote-ref-1)
2. Per ciascuno dei soggetti indicare l’eventuale gruppo di appartenenza. [↑](#footnote-ref-2)
3. Destinatario della fornitura da indicare se diverso dal Committente. [↑](#footnote-ref-3)
4. Per Autorità Sanzionatorie si intendono le autorità degli Stati Uniti d’America, incluso l’Office of Foreign Assets Control of the US Department of Treasury (OFAC), le Nazioni Unite e le autorità dell’Unione Europea, dei Paesi membri dell’Unione Europea e del Regno Unito. [↑](#footnote-ref-4)
5. Ai fini della incidenza della componente UE, della componente extra UE e della componente locale sul prezzo del Contratto viene preso in considerazione il prezzo di acquisto da parte dell’Esportatore. Il controvalore nella medesima valuta della fornitura di competenza dell’esportatore italiano si calcola applicando il cambio vigente 2 giorni lavorativi prima della firma del contratto commerciale. La somma delle componenti deve corrispondere al 100% del valore del contratto. [↑](#footnote-ref-5)
6. Gara internazionale: gara che rispetta i principi di pubblicità, par-condicio dei concorrenti e ritualità in analogia con quanto previsto dalle Direttive UE 92/50, 93/36 e 93/37 dell’Unione Europea. [↑](#footnote-ref-6)
7. Gara ad inviti: procedura ristretta in cui l’Ente appaltante ha discrezionalità nel selezionare i concorrenti. [↑](#footnote-ref-7)
8. Indicare le tipologie di mezzi di pagamento (rimessa diretta, bonifico bancario, altro). [↑](#footnote-ref-8)
9. Clausola che regola le modalità con cui possono essere apportate variazioni alla quantità o oggetto (i.e. modelli aggiornati successivi alla stipula del contratto) del contratto. [↑](#footnote-ref-9)
10. Clausola con cui si stabiliscono le modalità di ricalcolo dei prezzi secondo parametri prestabiliti. [↑](#footnote-ref-10)
11. Importi (o clausole contrattuali) specificatamente destinati alla copertura di eventuali costi aggiuntivi non stimabili al momento della sottoscrizione del contratto. [↑](#footnote-ref-11)
12. In caso di più garanti, per la garanzia sul credito, specificare se si tratta di garanzia solidale e congiunta. [↑](#footnote-ref-12)
13. L’importo potrà essere espresso in euro o nella valuta del contratto se diversa. SACE si riserva di valutare l’accettabilità della valuta. [↑](#footnote-ref-13)
14. Trasmissione a SACE, entro 60 gg. dall’immissione in cantiere, di una dichiarazione con indicazione dei beni strumentali immessi, che riporti:

    * descrizione
    * identificativo (n. matricola)
    * data acquisto/fabbricazione
    * valore acquisto/fabbricazione
    * data immissione in cantiere
    * titolo di utilizzo
    * indicazione cespiti specifici della commessa

    [↑](#footnote-ref-14)
15. Ad esempio indicatori di aree di conflitto sono:

    presenza di conflitti armati internazionali e non;

    transazione da un conflitto armato alla pace;

    violazione dei diritti umani gravi o diffusi;

    instabilità o repressione politica e sociale; o

    debolezza istituzionale o collasso dell’infrastruttura della nazione. [↑](#footnote-ref-15)
16. In caso di più esportatori oppure di Consorzio o raggruppamento Temporaneo di Imprese (RTI) compilare i dati per ognuno dei soggetti italiani. [↑](#footnote-ref-16)
17. Da compilare solo in caso di Consorzio o RTI. [↑](#footnote-ref-17)
18. In caso di più acquirenti, debitori e/o garanti, compilare i dati richiesti per ognuno di essi. [↑](#footnote-ref-18)
19. Compilare solo se diverso dal debitore. [↑](#footnote-ref-19)
20. Da completare solo se il Destinatario della fornitura è diverso dal Committente [↑](#footnote-ref-20)
21. Barrare l’ipotesi che interessa. [↑](#footnote-ref-21)
22. In tale ipotesi, in aggiunta al Modulo di domanda, l’Esportatore dovrà trasmettere a SACE, con separata lettera, un Report legale indicante (i) data del procedimento, autorità competente, oggetto e parti, (ii) formalizzazione del cambio dei vertici e di tutti i soggetti coinvolti nelle vicende giudiziarie, (iii) impegno ad aggiornare SACE su evoluzioni/esiti del procedimento in presenza di nuovi sviluppi e a trasmettere su richiesta di SACE copia di eventuali provvedimenti giudiziari intervenuti, (iv) informazioni circa Codice Etico e Modello Organizzativo 231 adottati [↑](#footnote-ref-22)
23. In tale ipotesi, in aggiunta al Modulo di domanda, il Debitore dovrà trasmettere a SACE, con separata lettera, un Report legale indicante (i) data del procedimento, autorità competente, oggetto e parti, (ii) formalizzazione del cambio dei vertici e di tutti i soggetti coinvolti nelle vicende giudiziarie, (iii) impegno ad aggiornare SACE su evoluzioni/esiti del procedimento in presenza di nuovi sviluppi e a trasmettere su richiesta di SACE copia di eventuali provvedimenti giudiziari intervenuti, (iv) informazioni circa Codice Etico e Modello Organizzativo 231 adottati [↑](#footnote-ref-23)
24. In tale ipotesi, in aggiunta al Modulo di domanda, il Debitore dovrà trasmettere a SACE, con separata lettera, un Report legale indicante (i) data del procedimento, autorità competente, oggetto e parti, (ii) formalizzazione del cambio dei vertici e di tutti i soggetti coinvolti nelle vicende giudiziarie, (iii) impegno ad aggiornare SACE su evoluzioni/esiti del procedimento in presenza di nuovi sviluppi e a trasmettere su richiesta di SACE copia di eventuali provvedimenti giudiziari intervenuti, (iv) informazioni circa Codice Etico e Modello Organizzativo 231 adottati [↑](#footnote-ref-24)
25. In tale ipotesi, in aggiunta al Modulo di domanda, il Debitore dovrà trasmettere a SACE, con separata lettera, un Report legale indicante (i) data del procedimento, autorità competente, oggetto e parti, (ii) formalizzazione del cambio dei vertici e di tutti i soggetti coinvolti nelle vicende giudiziarie, (iii) impegno ad aggiornare SACE su evoluzioni/esiti del procedimento in presenza di nuovi sviluppi e a trasmettere su richiesta di SACE copia di eventuali provvedimenti giudiziari intervenuti, (iv) informazioni circa Codice Etico e Modello Organizzativo 231 adottati [↑](#footnote-ref-25)
26. Gli organismi finanziari multilaterali (Multilateral Financial Institutions) sono African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank e World Bank Group. [↑](#footnote-ref-26)
27. Per Soggetti Sanzionati si intendono i soggetti che sono destinatari di qualsiasi sanzione economica e commerciale o di qualsiasi misura restrittiva da parte dell’Office of Foreign Assets Control of the US Department of Treasury (OFAC) o di una qualsiasi altra misura equivalente dell’Unione Europea, del Regno Unito o delle Nazioni Unite, incluse le sanzioni emesse nei confronti di determinati stati, organizzazioni e soggetti sottoposti alla Politica estera e di sicurezza comune dell’Unione Europea. [↑](#footnote-ref-27)
28. Nel caso in cui sia indicata tale opzione dovrà essere allegata al presente modulo copia in formato PDF dell’autocertificazione antimafia firmata digitalmente ovvero di copia in formato PDF dell’autocertificazione antimafia unitamente alla copia in formato PDF del documento d’identità del relativo firmatario, nel caso in cui tale autocertificazione non sia stata firmata digitalmente. L’autocertificazione antimafia potrà essere sottoscritta dall’Assicurato, avvalendosi, a propria scelta, del modello riportato sub Allegato 2-A, da sottoscriversi a cura del titolare o legale rappresentante con riferimento a tutti gli ulteriori soggetti sottoposti a verifica antimafia ai sensi dell’art. 85 del decreto legislativo 6 settembre 2011, n. 159, ovvero del modello riportato sub Allegato 2-B, da sottoscriversi a cura di ciascun soggetto sottoposto alla verifica antimafia ai sensi dell’art. 85 del decreto legislativo 6 settembre 2011, n. 159. [↑](#footnote-ref-28)
29. Nel caso in cui sia indicata tale opzione dovrà essere allegata al presente modulo copia in formato PDF della dichiarazione di esenzione di cui al modello sub Allegato 2-C firmata digitalmente ovvero copia in formato PDF della dichiarazione unitamente alla copia in formato PDF del documento d’identità e codice fiscale del relativo firmatario, nel caso in cui tale dichiarazione non sia stata firmata digitalmente. [↑](#footnote-ref-29)
30. Nel caso in cui sia indicata tale opzione dovrà essere allegata al presente modulo copia in formato PDF della dichiarazione di esenzione di cui al modello sub Allegato 2-C firmata digitalmente ovvero copia in formato PDF della dichiarazione unitamente alla copia in formato PDF del documento d’identità e codice fiscale del relativo firmatario, nel caso in cui tale dichiarazione non sia stata firmata digitalmente. [↑](#footnote-ref-30)
31. Applicabile nel caso in cui l’Esportatore abbia risposto in modo affermativo alle richieste di informazioni in relazione al Contratto Commerciale di cui al punto 2 (a)(iii) e/o (f) della sezione relativa al Contratto di Fornitura - Appalto. [↑](#footnote-ref-31)
32. Applicabile nel caso di debitore e/o garante pubblico o sovrano. [↑](#footnote-ref-32)
33. Applicabile nel caso di debitore e/o garante non pubblico o non sovrano. [↑](#footnote-ref-33)
34. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-34)
35. Le dichiarazioni di cui alla parte 2 devono essere rese dal dichiarante con riferimento a tutti gli ulteriori soggetti che sono sottoposti alla verifica antimafia ai sensi dell’art. 85 del decreto legislativo 6 settembre 2011, n. 159, commi 1, 2, 2-bis e 2-ter. [↑](#footnote-ref-35)
36. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-36)
37. La dichiarazione è sostitutiva di quella prevista in Allegato A), in tutti i casi in cui il legale rappresentante non effettui la dichiarazione per tutti i soggetti di cui all’art. 85, commi 1, 2, 2bis e 2 ter del .d. lgs. 6 settembre 2011, n. 159. [↑](#footnote-ref-37)
38. Le dichiarazioni devono essere rese da ciascun soggetto sottoposto alla verifica antimafia, ai sensi dell’art. 85, commi 1, 2, 2-bis e 2-ter. del d. lgs. 6 settembre 2011, n. 159. [↑](#footnote-ref-38)
39. Per “familiare convivente” si intende “chiunque conviva” con i soggetti di cui all’art. 85 del d. lgs. 159/2011, purché maggiorenne. [↑](#footnote-ref-39)
40. La dichiarazione è sostitutiva di quella prevista in Allegato A) e B). [↑](#footnote-ref-40)
41. Ad es. mancato rinnovo dell’iscrizione nell'elenco dei fornitori, prestatori di servizi ed esecutori di lavori di cui all’art. 1, commi 52 e seguenti, della legge 6 novembre 2012, n. 190. [↑](#footnote-ref-41)