*NO. OF THE TENDER: 2019/390*

*DATE: 6 December 2019*

*SUBJECT: Exchange of oil products*

I, the undersigned legal representative of the legal person, sole proprietor, society or other legal entity (hereinafter referred to as: the tenderer) in the public procurement procedure for awarding the contract with the aim to satisfy the intention of the sixth paragraph of Article 14 of the Integrity and Prevention of Corruption Act (Official Gazette of the Republic of Slovenia, Nos. [69/2011](http://www.uradni-list.si/1/objava.jsp?urlid=201169&stevilka=3056)-UPB2, [81/2013](http://www.uradni-list.si/1/objava.jsp?urlid=201381&stevilka=2966) Odl.US: U-I-81/11-12; ZIntPK) being to ensure transparency of the business and avert corruption risks that might arise when entering into legal transactions, hereby make the following

**DECLARATION ON THE PARTICIPATION OF NATURAL AND LEGAL PERSONS IN THE OWNERSHIP STRUCTURE OF THE PARTICIPATING ENTERPRISE**

**General information of the enterprise:**

Name (firm) and registered office:

Registration number (tax number for a natural person and legal entity not registered in a business register):

We are the general (full) partner in the silent partnership[[1]](#footnote-1) *(tick the box as appropriate)*:  YES  NO

**Information on the participation of natural persons (private individuals) in the ownership of our enterprise including silent (dormant) partners:**

First name and surname:

Permanent or temporary residence:

Share in the ownership structure of the tenderer:

Silent (dormant) partner *(tick the box as appropriate)*:  YES  NO; if *YES*, please state the name of the general (full) partner in the silent partnership:

*(please add new items to the list as appropriate)*

**Information on the participation of legal persons in the ownership structure of the tenderer:**

Name in registered office of the legal person:

Share in the ownership structure of the tenderer:

Registration number (tax number for other legal persons not registered in a business register):

The legal person is also the general (full) partner in the silent partnership (*tick the box as appropriate*):  YES  NO

**and the legal person is controlled by the following natural persons (private individuals):**

First name and surname:

Permanent or temporary residence:

Share in the ownership structure of the tenderer:

Silent (dormant) partner *(tick the box as appropriate*):  YES  NO; if *YES*, state the name of the general (full) partner of the silent partnership:

*(please add new items to the list as appropriate)*

**Information on the entities considered to be the entities associated/affiliated with the tenderer in accordance with the provisions of the act governing companies:**

Name in registered office of the legal person:

Registration number (tax number for other legal entities not registered in the business register):

**is in a mutual relationship as laid down in Article 527 of the Slovenian Companies Act with the legal person:**

name (firm) in registered office:

Registration number (tax number for other legal persons not registered in a business register):

**The nature of the relationship (close links)**

*(please add new items to the list as appropriate)*

I hereby declare that I have provided the information for the natural persons (private individuals) (the participants in the ownership structure of the tenderer) as stated below:

* every natural person (private individual) that directly or indirectly is a holder of more than 5% of shares, i.e. has a share of more than 5% in the founders’ rights, management or capital of the legal person or has control over the management of the legal person’s assets;
* every natural person (private individual) that has indirectly provided or is providing assets and on that basis may control, direct or significantly influence decisions taken by management or other corporate body of the legal person in the course of decision-making concerning financing and business activities(operations.

By signing this declaration form, I represent and warrant that in the entire ownership structure of the tenderer, there are no other natural and legal persons, silent partnerships and economic entities deemed to be associated/affiliated entities pursuant to the provisions of the law governing companies.

I hereby represent and warrant that all the above information is correct and true to the best of my knowledge and belief, and I am fully aware that the public procurement contract awarded to us shall be rendered null and void in the event that false statements or untrue information on the facts stated have been provided.

I hereby undertake to notify the contracting entity on any change in the submitted information.

Signed at (place) , on \_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The signature of the legal representative

*The form shall be filled in by all participating enterprises and to that end, sufficient copies shall be made and adjusted as necessary.*

This form is the integral part and annex to the tender submitted by us in response to the Call for tenders under the public procurement procedure.

1. In accordance with the modifications and amendments to the Slovenian Companies Act (ZGD-1G, Official Gazette of the Republic of Slovenia, No. 57/2012 as of 27 July 2012), silent partnerships were abolished and were terminated by law as of the day on which the amended act entered into force, i.e. on 28 July 2012. Therefore, the relevant part of the provision of the sixth paragraph of Article 14 of the Public Integrity and Corruption Prevention Act (ZIntPK) concerning mandatory drafting of a declaration on the participation of silent (dormant) partners in the ownership structure of the tenderer by entities having the registered office in the Republic of Slovenia does not apply. However, the provision remains unaltered and still applies to foreign entities provided that silent partnerships still exist in their jurisdiction. [↑](#footnote-ref-1)