



# Company declaration regarding CSR, Danish economic interest and non- bribery

## Company name:

In order for a credit insurer to issue a credit insurance policy reinsured by EKF Denmark's Export Credit Agency ("EKF") to a company (an applicant), the company (the applicant) is obliged to complete this declaration covering the policies which are reinsured by EKF.

### 1. CSR matters

Upon the signing of this declaration, we, the company, hereby declare that neither the company, nor any persons acting on our behalf, upon our instructions or with our knowledge, are aware of any significant Environmental and Social Risks (as defined below) associated with the insured transaction.

"Environmental and Social Risks" refer to any significant and potential adverse effects on the environment or on people resulting from the above-mentioned transaction.

Significant Environmental and Social Risks are inter alia presumed to be present if the following factors are relevant in relation to the activities connected to the business:

- > activities deemed illegal under host country laws or regulations or international conventions and agreements or subject to international bans, such as pharmaceuticals, pesticides/herbicides, ozone depleting substances, asbestos-containing products, PCBs, wildlife or products regulated under CITES;
- > weapons, munitions or parts thereof;
- > activities involving harmful or exploitative forms of child labour or forced labour;
- > radioactive materials except medical equipment and quality control (measurement) equipment;
- > activities involving:
  - breeding, rearing, transporting and/or slaughtering of animals;
  - mining projects
  - chemical process plants and refineries
  - oil and/or gas exploration
  - establishment of plantations or felling of natural forests
  - construction of major roads, railways, airports and ports
  - activities/transactions placed in a country in country risk category \*7

The transaction also lives up to Danish and/or EU standards regarding the environment, working environment and social impact.

\* EKF divides countries into eight risk categories (from 0 to 7, with 7 being the highest risk category). You can find the country risk category for the country of relevance at [www.ekf.dk](http://www.ekf.dk) by entering the country in the search field under the section named "Countries".

- If the company is uncertain as to whether the activity performed involves any significant Environmental and Social Risks, EKF will determine this based on the information submitted by the company to EKF through the credit insurer. EKF reserves the right to contact the credit insurer to obtain further information.

This English translation of the authentic Danish text is for information purposes only, and in case of dispute the Danish text shall prevail.



## 2. Danish economic interest

Export turnover is defined as the company's turnover related to sales of goods and services to a foreign market and turnover related to sales of goods and services to a Danish export company and as the company's turnover related to sales of goods and services to companies and persons staying in Denmark, but not permanently domiciled or resident in Denmark (tourists).

The company hereby declares that our buyer(s) will be invoiced from Denmark or from our foreign affiliated company/companies and that the size of the company's export turnover makes up a minimum of 20 percent of the company's total turnover as presented in the company's most recent financial statements.

If the company wishes to base the credit insurance policy on its expected export turnover, EKF must approve this in advance.

In case of doubts as to whether the above-mentioned conditions are fulfilled, EKF will decide whether the company's export turnover is adequate based on the information submitted by the credit insurer regarding the company (the applicant).

## 3. Declaration of non-bribery

### Agents

The undersigned company hereby declares that all payments of commissions/fees to agents concern relevant supplies or services and are in reasonable proportion to the value of the supply/service.

### Non-bribery

Is the company listed on a publicly available "debarment list" of one or more of the following international financial institutions? World Bank Group, African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development or Inter-American Development Bank

Yes  No

Has the company or any person acting on behalf of the company been charged with or within the last 5 years been convicted in a national court of violation of laws against bribery of foreign public officials or private persons in any country?

Yes  No

Denmark has ratified the OECD convention on combating bribery of foreign public officials in international business transactions (the OECD Anti-Bribery Convention). In accordance with the OECD Anti-Bribery Convention, EKF Denmark's Export Credit Agency ("EKF"), similar to other ECAs within the OECD, is obliged to obtain a declaration stating that bribery has not been and will not be taking place. In addition to this, the regulations in the Danish Criminal Code section 122 regarding bribery of public officials and section 299, subsection 2 on bribery of private individuals, are also applicable.

According to section 122 of the Danish Criminal Code, "Any person who unduly grants, promises or offers someone exercising a Danish, foreign or international public office or function a gift or other privilege in order to induce the person to do or fail to do anything in relation to his official duties shall be liable to a fine or imprisonment for a term up to six years".

Section 299, subsection 2 of the Danish Criminal Code regarding bribery of private individuals (kickbacks) stipulates that: "Anyone acting in the capacity of trustee of any property of another person, by neglect of duty, for the benefit of himself or of others, receives, claims or accepts the promise of a gift or other favour, as well as any person who grants, promises or offers such a gift or other favour shall be liable to a fine or imprisonment for a term up to four years".

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EKF encourages all companies to develop, apply and document control systems that combat bribery.

With reference to this, we, the undersigned company, hereby declare that we, or any persons acting on our behalf, have not been engaged and will not engage in bribery in connection with the above-mentioned transaction reinsured by EKF, including any agreements concluded in that connection.

#### **4. Publication**

EKF reserves the right to publish the company' s name and sector in connection with EKF' s information and business activities.

#### **5. Declaration**

**In continuation of the above, the undersigned company hereby declares,**

- › that we meet the above-mentioned requirements regarding CSR, cf. paragraph 1,
- › that we meet the above-mentioned requirements for “Danish Economic Interest”, cf. paragraph 2,
- › that we meet the above-mentioned regulations regarding non-bribery, cf. paragraph 3.
- › that the information contained in this declaration is true and correct and acknowledge that the credit insurer/credit insurers may refuse/disclaim the insurance liability under the policy, if this declaration contains any misrepresentation which is material.
- › that we acknowledge that EKF or the credit insurer may require further information or documentation. We acknowledge and agree that all information or documentation related to the company (including buyer information) will be available to EKF.
- › that we will indemnify EKF for all kinds of indemnification which has either been paid or will be paid to the credit insurer, including interests calculated from the day of payment, if we, or anyone acting on our behalf, have engaged in or engage in actions or omissions in connection with above-mentioned company reinsured by EKF, including any agreements concluded in that connection etc, which go against the present declaration regarding CSR, Danish economic interest or non-bribery.
- › that we will indemnify EKF for all losses and expenses, including legal costs, incurred because we, or anyone acting on our behalf, have engaged in or engage in actions or omissions in connection with the above-mentioned transaction reinsured by EKF, including any agreements concluded in that connection etc. and
- › that EKF may publish our name and section in connection with EKF' s information and business activities, cf. paragraph 4 and
- › that this declaration is subject to Danish law and settlement in a Danish court of law.

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**Documentation**

Throughout the term of the credit insurance policy, the company must be able to document that the above-mentioned requirements under paragraph 1 and 2 were correct and had been met at the time when this declaration was signed. Failure to meet the requirements under 1 and 2 or lack of documentation thereof may affect EKF's assessment of the company's future use of EKF's declarations.

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Place/date

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Company name and CVR. no.

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Signature of authorised signatory

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