

(TO BE WRITTEN ON COMPANY/ENTERPRISE LETTERHEAD)

DECLARATION

declares

- a. that it has viewed eni spa's informative notice on personal data processing under Art. 13 of Legislative Decree no. 196 of 2003 and gives its consent for processing for the purposes and with the methods indicated in the informative notice, including the communication;
- b. that it undertakes to comply with all the provisions in force regarding the protection of personal data, where applicable, with regard to the personal data of its own staff and those of any subcontractors and to indemnify and hold harmless eni spa from any liability, expense or consequence that may arise in case of nonobservance of these provisions;
- c. that it is aware of the legislation in force regarding administrative liability of the body corporate and, in particular, of the provisions of Legislative Decree no. 231 of 8th June 2001 as amended and of the "Model 231" document prepared by eni spa; that it is aware of the COMPANY's Anti-Corruption Management System Guideline as amended (available on the website www.eni.com) which establishes the ethical principles to be complied with by both the COMPANY and the COMPANY's staff and that it is aware of and has taken note of the contents of the eni Guidelines on the Protection and Promotion of Human Rights;
- d. that it is aware of and has taken note of the contents of the Eni Code of Ethics, among other things with regard to section II paragraph 4 "Relations with customers and suppliers"; in particular it declares that it accepts that the remuneration to be paid will be exclusively commensurate with the activities to be performed under the contract, and that the payments will be made exclusively to the contractual counterpart, in the countries where the parties are incorporated or in the country where the contract is performed, as provided in paragraph 4.2 "Suppliers and external collaborators";
- e. that it undertakes, also in the name of the shareholders, directors, staff and collaborators of the declarant Enterprise/Company, to strictly comply with the principles contained in the above indicated Anti-Corruption Management System Guideline, with regard to all contractual relationships that exist or may exist in the future between the declarant Enterprise/Company and the COMPANY;
- f. that it undertakes, also in the name of the shareholders, directors, staff and collaborators of the declarant Enterprise/Company, to comply strictly with Leg. Dec. no. 231 of the 8th June 2001 as amended and the laws in force regarding anti-corruption (meaning the anti-corruption provisions contained in the Italian Criminal Code and any other applicable Italian

laws, US Foreign Corrupt Practices Act, UK Bribery Act, other public and commercial laws against corruption in force around the world and international anti-corruption treaties such as the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the United Nations Convention against corruption) and, in particular, to refrain (and to cause its directors, staff and collaborators to abstain) from (a) offering, promising, giving, paying or authorizing anyone to give or pay, directly or indirectly, material, financial or other advantage to a Public Official¹ or private party in breach of the applicable anti-corruption laws, and (b) accepting or authorizing anyone to accept, directly or indirectly, material, financial or other advantage or a request or solicitation from a Public Official or private party of material, financial or other advantage;

- g. that it undertakes, also in the name of the directors, staff and collaborators of the declarant Enterprise/Company, to strictly comply with the principles contained in the aforesaid Code of Ethics and in the above Guidelines on the Protection and Promotion of Human Rights, with regard to all existing or potential contractual relationships between the declarant Enterprise/Company and eni spa;
- h. in particular, that it undertakes to refrain from offering commissions, fees and other benefits to directors, staff or collaborators of eni spa; from concluding commercial agreements with directors, staff or collaborators of eni spa likely to detrimentally affect, or conflict with, COMPANY's best interests; from undertaking commercial activities or signing agreements with Third Parties in breach of the principles of the Eni Code of Ethics which are likely to adversely affect the existing or potential contractual relationships between the declarant Enterprise/Company and eni spa; from favouring directors, staff or collaborators of eni spa with non-monetary favours including gifts, means of transport and entertainment, exceeding the limits of the commonly accepted ethical business standards;
- i. ☐ that it is/it is part of the Public Administration
(specify the affiliation): _____
or

☐ that it is not/it is not part of to the Public Administration.

The term Public Administration means any body, office or authority, central or peripheral, public official or public service employee exercising legislative, judicial or administrative powers or functions in order to serve the public interest;

j. that

☐ none of the shareholders, of the members of the Board of Directors, nor the general manager or equivalent of the declarant Enterprise/Company, nor any Family Members² of such persons

¹ Public Officials means:

- a. anyone occupying a public legislative, judicial or administrative function;
- b. anyone acting in an official capacity for or on behalf of (i) a national, regional or local public administration, (ii) an agency, department or instrumentality of the European Union or of an Italian or non-Italian national, regional or local public administration, (iii) a company owned, controlled or invested (when the public administration, in virtue of powers or prerogatives of a public information nature, substantially exercises control over a company) by an Italian or foreign public administration (including, for example, employees of "national oil companies"); (iv) an international public organization, such as the European Bank for Reconstruction and Development, the International Bank for Reconstruction and Development, the International Monetary Fund, the World Bank, the United Nations or World Trade Organization; or (v) a political party, a member of a political party or a candidate for an Italian or foreign political office;
- c. anyone in charge of providing a public service, i.e. whoever performs a public service for whatever reason, where public service means an activity that is governed in the same way as a public function, except that the power vested in the latter is absent.

Pursuant to Anti-Corruption Laws and in particular jurisprudence deriving from it, the representatives of local communities are treated as Public Officials.

² Family Members means:

the Public Official's spouse; the Public Official's and the spouse's grandparents, parents, siblings, children, nieces, nephews, grandchildren, aunts, uncles and first cousins; the spouse of any of these people; and any other individuals who share the same household; and the private party's spouse; the private party's and the spouse's grandparents, parents, siblings, children, nieces, nephews, grandchildren, aunts, uncles, and first cousins; the spouse of any of these people; and any other individuals who share the same household.

are or have been Public Officials who worked, currently work, or are likely to work in the future, as part of their role, in the performance of activities in which eni has an interest;

or

☐ in case of presence of Public Officials, indicate the person and the position held as a Public Officials and, in the case of Family Members, the relationship of familiarity:

- k. that it undertakes to promptly communicate any changes in the corporate structure, the Directors, any Operations Manager and, in general, the subjects listed in the Affirmation of Certification of registration with the Chamber of Commerce (C.C.I.A.A.) or in the Affirmation of Certification related to the family members living with the subjects involved in the mafia-related verifications as per art. 85 of Leg. Decree 159/2011, occurred after the submission of the aforesaid Affirmations of Certification;
- l. that in case of award, it also undertakes:
- in the case of a subcontract, to request any subcontractors to sign the same declarations of this document;
 - in case of a "subcontratto":
 1. to request any "subcontraente" to sign the same declarations of this document
 2. to make the relevant verifications on the declarations before commencement of the activities under the "subcontratto"
 3. to guarantee that the "subcontraente" continues to meet the requirements throughout the duration of the "subcontratto".

It also declares

under and for the intents and purposes of the provisions of the Decree of the President of the Republic no. 445 of 28th December 2000,

m. that none of the situations under art. 80 of Legislative Decree no. 50 of April 18, 2016 as amended (hereinafter "Codice dei Contratti pubblici"), exists in respect of the declarant Enterprise/Company;

n. that

☐ neither the declarant Enterprise/Company, nor its shareholders, directors, staff or collaborators have committed any breach or are under investigation or judicial proceeding for alleged breach of Leg. Dec. no. 231 of 8th June 2001 as amended and/or of any provisions against corruption

or

☐ the declarant Enterprise/Company, its shareholders, directors, staff or collaborators have committed breach or are subject to investigation or judicial proceeding for presumed breach of Leg. Dec. no. 231 of 8th June 2001 as amended and/or of the provisions in force against corruption (*specify exactly the breach, investigation or judicial proceeding*):

(Note: The following point o) is applicable in the case of bids submitted for the award of supply contracts and where the products originate, even partially, in third countries, in accordance with UE Regulation No. 952/2013 of the European Parliament and the Council, with which countries the European Union has not concluded any agreement for a comparable and actual access of the European firms to the markets of such third countries)

p. ☐ that, under art. 137 of the "Codice dei Contratti pubblici", the proportion of products

originating from third party countries does not exceed 50% of the total value of the products making up the bid.

or, alternatively

- ☐ that, under art. 137 of the "Codice dei Contratti pubblici", the proportion of products originating from third countries exceeds 50% of the total value of the products making up the bid.

The undersigned acknowledges that:

- the existence of even one of the situations in art. 80 of the "Codice dei Contratti pubblici", as referred to in point m., will be grounds for exclusion from the qualification process and/or tender process, subject to any other sanction and legal consequences applicable;
- the submission of a declaration found to be false, even through any omission, in relation to points m. to o. will be grounds for exclusion from the qualification process and/or tender subject to any other sanction and legal consequences applicable;
- without prejudice to the obligation to submit all due certifications/evidence required by law, Eni has the right to request any updating of the declaration, as well as the submission of any certificates considered necessary to support the declarations made and, in any case to ascertain, even autonomously, at its sole discretion and at any time, by any lawful means, the truthfulness of this declaration.

The undersigned also acknowledges that, in order to verify that the requirements provided for in art. 80 of the "Codice dei Contratti pubblici" are met, Eni reserves the right to require any foreign companies to produce appropriate certificates and/or documents issued by the competent foreign authorities (as required by the legislation in force in the Country concerned). Where no such certificates and/or documents are issued, they may be replaced by a declaration made by the Enterprise/Company concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body of the country of origin.

A photocopy of the valid identity document of declarant no.
issued on.....by is
attached.

Place and date.....

..... (signature and stamp of declarant)