

Declaration: Liquidity guarantee (large corporates) in relation to the spread of COVID-19

The company's declaration concerning CSR, registration, export sales, financial position, non-bribery, etc.

Name of company:

Address:

CVR/Skràs no.:

This declaration covers the Company's loss of turnover for the following period:

In order for Guarantee Taker to set up a credit facility to be guaranteed by EKF Denmark's Export Credit Agency ("EKF"), the company must fill in this declaration form. The form should be filled in, signed and submitted to the Guarantee Taker.

1. CSR

I, the undersigned authorised officer, hereby declare on behalf of the above company (the "Company") that neither we nor any person acting on our behalf, on our instructions or with our knowledge is aware of any significant Environmental and Social Risks (as defined below) relating to our business.

"Environmental and Social Risks" means any kind of potential negative impact of our business on the environment or people in connection with:

- › the end-use of goods produced or manufactured by us and exported from Denmark or in connection with production or manufacture outside Denmark of goods sold by us;
- › the production, manufacture and/or end-use of goods produced or manufactured by our foreign group undertakings; or
- › services provided to buyers outside Denmark by us or our foreign group undertakings.

Environmental and Social Risks are assumed to exist if, for instance, the following factors are relevant in relation to the below activities:

- › activities which are considered illegal under the host country's laws or regulations or under international conventions and agreements or which are subject to international prohibitions, including prohibitions applying to pharmaceuticals, pesticides/herbicides, ozone-depleting substances, asbestos-containing products, PCBs, wild animals or products regulated by CITES;
- › arms, ammunition or parts thereof;
- › activities involving harmful or exploitive forms of child labour, forced labour; or
- › radioactive materials except for medical equipment, quality control (measuring) equipment;



I, the undersigned authorised officer, further declare

- › that the Company's products and/or services comply with Danish and/or EU-standards regarding environmental, occupational health and safety and animal welfare (where relevant).

If the Company is unsure as to whether its activities involve significant Environmental and Social Risks, EKF will decide the matter based on the information submitted by the Company. EKF may request additional information.

2. Declaration concerning the company's registration, export sales and financial position

A) The company's registration

We hereby declare that the Company is registered with the Danish Central Business Register (CVR) or the Company Registration Authority of the Faroe Islands (Skráseting Føroya) under the CVR/Skràs number stated above and that the Company should be classified as a large company (STV) and does not fall within the meaning of small and medium-sized enterprises with fewer than 250 employees or an annual turnover not exceeding EUR 43 million (SMV).

SMV-classifications should be determined based on Commission Recommendation 2003/361/EC as published in the Official Journal of the European Union L 124 of 20 May 2003⁽¹⁾. If the Company is owned⁽²⁾ by another company, this company's employees, turnover and balance sheet total must be included if the ownership interest exceeds 25%. If the Company owns another company, this company's employees, turnover and balance sheet total must be included if the ownership interest exceeds 25%.

B) Amount of export sales

We hereby declare that the Company's export sales made up at least 10% of the Company's total turnover in 2019.

Export sales are defined as the company's sales of goods and services to a foreign market, sales of goods and services to a Danish exporter and sales of goods and services to companies with a presence in Denmark or private individuals staying in Denmark that are not domiciled in or residents of Denmark (e.g. tourists).

In the event of uncertainty as to whether the above conditions are met, EKF will decide whether the Company's export sales are sufficient to qualify for a liquidity guarantee.

C) The company's financial position

We hereby declare that the credit facility guaranteed by EKF represents an expansion of the Company's overall facilities with the Guarantee Taker.

We further declare:

- › that the Company has sustained or expects to sustain a loss of turnover of not less than 30% as a result of the spread of Covid-19 for a minimum of 14 days during the period from 1 March 2020 up to and including 1 June 2022 relative to the same months and/or days of 2019;
- › that the Company has not applied for or obtained a guarantee for a loan under Danish Executive Order no. 981 of 24 June 2020 with later changes concerning a guarantee scheme for loans to large companies under the auspices of Vækstfonden, covering whole or part of the same period as the present application to EKF.
- › that, the contemplated Credit Facility will not exceed the highest of:
 - twice the amount of the Company's annual payroll cost (in Danish: "lønsom") (including social security contributions and costs related to personnel working with the Debtor, which however

› <https://eur-lex.europa.eu/legal-content/DA/TXT/PDF/?uri=CELEX:32003H0361&f>

› Ownership is defined both as ownership interest and voting interest.



formally is paid by a sup-supplier) for 2019 or for the most recent available year or, for companies founded on or after 1 January 2019, of the estimated payroll costs for the first two years of operation; or

- 25% of the Company's total turnover for 2019;
- › that the Company was not an Undertaking in difficulty on 31. December 2019, as defined in Commission Regulation (EU) No 651/2014;
- › that the credit facility is not used to repay other existing or future debt payable by the Company to the guarantee taker in a period of five months after the guarantee takes effect.

If the Company has applied for a guarantee under Executive Order no. 981 of 24 June 2020 with later changes concerning a guarantee scheme for loans to large companies under the auspices of Vaekst-fonden, but has not received a commitment from Vaekstfonden, at the date of applying for a liquidity guarantee, then the Company shall immediately decline any such offer that is subsequently made.

In the event of uncertainty as to whether the above conditions are met, EKF will decide whether the Company is eligible for a liquidity guarantee.

3. Non-bribery declaration

Agents

The undersigned Company hereby declares that all payments of commission/fees to agents concern relevant services and are commensurate with the value of the service provided.

Non-bribery

Is the company included in 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

Is the company or any person acting on its behalf being prosecuted, or has the company or any person acting on its behalf within the past five years been convicted, by a national court of law for violation of laws against bribery of public officials or private individuals in any country?

Yes

No

Denmark has acceded to the OECD convention on combating bribery of foreign public officials in international business transactions (the OECD Anti-Bribery Convention). Pursuant to the OECD Anti-Bribery Convention, EKF, like any other OECD export credit institution, is under an obligation to obtain a declaration stating that bribes have not been and will not be offered. The provisions of section 122 of the Danish Criminal Code on bribery of public officials and section 299(2) on bribery of private individuals apply correspondingly.

Section 122 of the Danish Criminal Code reads as follows: "Any person who unduly grants, promises or offers someone performing a public function or office with a Danish, foreign or international public organisation a gift or another privilege to make the relevant person perform or fail to perform such function or office is sentenced to a fine or imprisonment for a term not exceeding six years".

Section 299(2) of the Criminal Code on bribery of private individuals (secret commission) states that: "A fine or imprisonment for a term not exceeding four years is imposed on any person who receives, demands or agrees to receive a gift or another privilege for himself or others in a manner contrary to his duty of managing the property entrusted to him by another person, and on any person who grants, promises or offers such gift or other privilege".



function or office is sentenced to a fine or imprisonment for a term not exceeding six years”.

Section 299(2) of the Criminal Code on bribery of private individuals (secret commission) states that: “A fine or imprisonment for a term not exceeding four years is imposed on any person who receives, demands or agrees to receive a gift or another privilege for himself or others in a manner contrary to his duty of managing the property entrusted to him by another person, and on any person who grants, promises or offers such gift or other privilege”.

EKF encourages all companies to develop, apply and document monitoring systems combating bribery.

With reference to the foregoing, the undersigned Company declares that neither we nor any person acting on our behalf, on our instructions or with our knowledge has offered or will offer bribes in connection with exports under the above-mentioned credit facility guaranteed by EKF and the agreements entered into in connection therewith.

4. Disclosure

EKF reserves the right to disclose information on the use of the Guarantee Scheme, including – but not limited to – information about the amounts of individual guarantees, use of the facility, use in various sectors, etc. EKF will not disclose identifiable information on the Guarantee Taker or the company without the prior consent of the relevant parties.

5. Documentation and auditing

Throughout the term of the guarantee, the Company must be able to provide documentation proving that the requirements set out under items 1 and 2 above were met and that the information provided pursuant to items 1 and 2 was correct at the date of signing this Declaration. Failure to satisfy the requirements under items 1 and 2 or failure to document such satisfaction may affect any future assessments by EKF of the Company’s eligibility for EKF’s guarantees.

6. Representations and declarations

In keeping with what is stated above, the undersigned Company hereby represents and declares

- › that we satisfy the above CSR requirements, including that we have provided correct information as to whether the project is located in or in the proximity of a sensitive area or concerns the establishment of a new production site, and that the project is not located within one of the above-mentioned sectors or countries;
- › that the information contained in this Declaration is true and correct, and that we acknowledge that EKF may demand that the credit facility be terminated if this Declaration contains any significant misrepresentation;
- › that all information pertaining to the Company will be made available to EKF, and that EKF may obtain any relevant information on the Company held by the Guarantee Taker and/or the Company’s auditors;
- › that we will indemnify EKF for any loss or expense, including legal fees, incurred as a result of our participation or the participation of any person acting on our behalf in acts or omissions in connection with any conduct or circumstances mentioned under item 3 or in case this Declaration contains any substantially wrong or misleading information;
- › that EKF may publish our name and industry as stated under item 4 above;
- › that EKF is under no obligation to repay any already paid guarantee premium;



7. Governing law and jurisdiction

This Declaration is subject to Danish law and jurisdiction.

Place/date

Name and CVR/Skrà no. of company

Name, Titel (both in block capital) and Signature as per signing powers/authority