

To:

**AS SmartCap**  
[info@smartcap.ee](mailto:info@smartcap.ee)

### **Declaration of Honour**

*This Declaration of Honour is presented in connection with the submission of an EoI for the Call for Expressions of Interest, reference code Deep Tech Fund 2020/12, dated 21 December 2020. Capitalised expressions used herein shall have the meaning attributed to them in the above-mentioned Call for Expression of Interest, unless otherwise expressly defined herein or otherwise required by the context.*

I, the undersigned, being a duly authorized representative of the Applicant and/or a Key Executive (hereinafter each also a **Relevant Person**), hereby declare that I or, if relevant, the Applicant are not in any of the following situations pursuant to the laws of any jurisdiction as of the date of this declaration the Relevant Person:

- a. is bankrupt or being wound up, is having its affairs administered by the courts, in this context, has during the last five years entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b. has been convicted of an offence concerning its professional conduct by a judgment, which would affect its ability to act as a Fund Manager;
- c. has been the subject of a judgment for (i) fraud, (ii) corruption, (iii) participation in a criminal organisation, (iv) money laundering or terrorist financing, (v) terrorist offences or offences linked to terrorist activities, or (vi) inciting, aiding, abetting or attempting to commit any such offences;
- d. is guilty of misrepresentation in supplying information required for selection as a Fund Manager or fails to supply this information;
- e. has been listed in the Early Detection and Exclusion System (EDES) database, established by the European Commission or any other sanctions list or internationally recognised "black list";
- f. has a direct or indirect interest of such a nature and scale that may have an adverse effect on the impartial conduct of the Selection Process (including, but not limited to, the Relevant Person being a "connected person" within the meaning of the Anti-Corruption Act of Estonia to a member of the management or supervisory board, employee or officer of SmartCap, or the Relevant Person providing advice, service or other assistance to the preparation or conduct of the Call).

I undertake to inform SmartCap without delay of any situation arising at any time during the Call constituting a conflict of interest or which could give rise to a conflict of interest. I acknowledge and agree that failure to declare any actual or potential conflicts of interest and/or failure to address such conflicts to the reasonable satisfaction of SmartCap could result in the Applicant being disqualified from the Call at the discretion of SmartCap.

Furthermore, I declare that I and, if relevant, the Applicant shall not:

- (i) offer any inducement, fee or reward to any management or supervisory board member, employee or officer of SmartCap or any person acting as an advisor for SmartCap in connection with the Call;
- (ii) contact any management or supervisory board member, employee or officer of SmartCap or any person acting as an advisor for SmartCap about any aspect of the Call in a manner not permitted by the Call;
- (iii) enter into any agreement or arrangement with any other Applicant or potential Applicant to the effect that it shall refrain from making an application or as to the conditions of any application;
- (iv) cause or induce any person to enter such agreement as is mentioned above or to inform the Applicant of the conditions of any rival application; or

- (v) offer or agree to pay or give, or actually pay or give, any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done any of the above matters in relation to any other application or proposed application.

I undertake to inform SmartCap without delay, if any declaration made herein turns out to be or becomes untrue, invalid, misleading or otherwise inaccurate.

I acknowledge and agree that SmartCap reserves the right to disqualify (without prejudice to any other civil remedies available to SmartCap and without prejudice to any criminal liability which such conduct by an Applicant may attract) the Applicant and reject their EoI, if any declaration submitted above is false or is breached at any time during the Call.

*[NOTE: In case of legal persons, the Declaration of Honour must be signed by the authorized representative(s) of the Applicant as well as each of the Key Executives. In case of a team of natural persons, the Declaration of Honour must be signed by all team members designated as the Applicant, including all Key Executives. The Declaration of Honour shall be signed by signatories in separate instruments.]*

Yours sincerely,

Signature:

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*Name and registration number of the Applicant, if legal entity*

*Name and position of the undersigned*

*Date of signing*