



To:

European Investment Fund

COSME Loan Guarantee Facility

37B, avenue J.F. Kennedy

L - 2968 Luxembourg

## EXPRESSION OF INTEREST

For the (Counter-)Guarantee for debt financing  
For the Guarantee for securitised portfolio

*[Please delete as appropriate]*

in the context of the COSME Loan Guarantee Facility – including COSME COVID 19 Sub-window

Applicant submitting the Expression of Interest

*Please complete indicating:*

- Company Name
- Registration Number

Dear Sir or Madam,

Herewith we are submitting our Expression of Interest on behalf of [Applicant], (the “Applicant”) in response to the Open Call for Expression of Interest in the framework of the COSME Loan Guarantee Facility (the “COSME LGF”, the “Facility” or “EU Guarantee”) implemented by EIF. Capitalised expressions utilised herein shall have the meaning attributed to them in the above-mentioned Call for Expression of Interest.

The undersigned, duly authorised to represent the Applicant, by signing this form certifies and declares:

1. that the information contained in this Expression of Interest and its Appendices is complete and correct in all its elements;
2. to have read the EIF Anti-Fraud Policy and not to have made nor to make any offer of any type whatsoever from which an advantage can be derived under the (Counter-)Guarantee Agreement and not to have granted nor to grant, not to have sought nor to seek, not to have attempted nor to attempt to obtain, and not to have accepted nor to accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to signing of the (Counter-)Guarantee Agreement.

Furthermore, the undersigned, duly authorised to represent the Applicant, by signing this form represents that, as at the date of this form:

1. The Applicant is not in any of the situations below:

- a. it is bankrupt, is subject to insolvency or is being wound up, is having its affairs administered by a liquidator or by the courts, in this context, is in an arrangement with creditors, is having its business activities suspended or a standstill (or equivalent) agreement has been signed with creditors and validated by the competent court when required by the applicable law, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
  - b. in the past five (5) years, it has been the subject of a final judgment or final administrative decision for being in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law and where such obligations remain unpaid unless a binding arrangement has been established for payment thereof;
  - c. in the past five (5) years, it or any of the persons having powers of representation, decision-making or control over it has been convicted by a final judgment or a final administrative decision for grave professional misconduct, where such conduct denotes wrongful intent or gross negligence, which would affect its ability to implement the (Counter-)Guarantee and which is for one of the following reasons:
    - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;
    - (ii) entering into agreements with other persons aimed at distorting competition;
    - (iii) attempting to unduly influence the decision-making process of the contracting authority during the relevant "award procedure" as such term is defined in Article 2 of the Financial Regulation<sup>1</sup>;
    - (iv) attempting to obtain confidential information that may confer upon it undue advantages in the relevant "award procedure" as such term is defined in Article 2 of the Financial Regulation;
  - d. in the past five (5) years, it or persons having powers of representation, decision-making or control over it has been the subject of a final 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 inciting, aiding, abetting or attempting to commit such offences;
    - (vi) child labour and other forms of trafficking in human beings;
  - e. it is subject to a decision on exclusion contained in the early detection and exclusion database (the EDES database available at the official website of the EU)<sup>2</sup> set up and operated by the European Commission;
  - f. it has been, in the past five years, subject to a final judgment or administrative decision by a national court or authority that it was created with the intent to illegally circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.
2. The Applicant is established and operating in one or more of the Participating Countries;
  3. In respect of (Counter-)Guarantees provided under the Facility, the Applicant is duly authorised – if applicable - to carry out financing activities in accordance with applicable laws and regulations, or the Applicant is a guarantee scheme, guarantee institution or other financial or credit institution duly authorised, if applicable, to issue guarantees according to the applicable legislation; and
  4. The Applicant does not perform activities which are illegal according to the applicable legislation in the country of the Applicant.

For the purpose of the EIF Transparency Policy, as further specified in the Call for Expression of Interest, and subject to the approval of the relevant operation by the EIF Board of Directors, the [Applicant], by signing this form:

[Please tick as appropriate]

<sup>1</sup> "Financial Regulation" means Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1), as it may be amended, supplemented or modified from time to time.

<sup>2</sup> <https://ec.europa.eu/edes/index#/cases>

- confirms that the Applicant agrees with the disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes
- OR
- declares that (i) the Applicant requests the non-disclosure of summary information relevant to this transaction (the project name, the nature of the operation, the geographical focus and the relevant EIF-managed resources) in the Board minutes published on EIF's website, following the approval and signature of said minutes and (ii) such disclosure would undermine the protection of commercial interests<sup>3</sup> relevant to the operation.

Yours sincerely,

Signature(s):

Stamp of the Applicant (if applicable):

Name and position in capitals:

Applicant's name

Place:

Date (day/month/year):

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Appendices

Appendix 1 : Applicant Identification

Appendix 2 : Information Requirements

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<sup>3</sup> Including by reason of such information being covered by a confidentiality agreement.

Appendix 1 to the Expression of Interest

APPLICANT IDENTIFICATION

INFORMATION REQUIRED	
APPLYING FOR:	<input type="checkbox"/> GUARANTEE <input type="checkbox"/> COUNTER-GUARANTEE <input type="checkbox"/> SECURITISATION <input type="checkbox"/> COSME DIGITALISATION PILOT <input type="checkbox"/> COSME LGF COVID-19 Sub-window <sup>4</sup>
NAME	
LEGAL FORM	
CONTACT DETAILS	Title: Mr/Mrs/other (delete or complete as appropriate) Surname: Forename(s): Function: Address: Telephone: Email:

<sup>4</sup> Please refer to Schedule 1 of the COSME LGF-Call for Expression of Interest for information about availability of budget for Financial Intermediaries in Member States/Participating Countries which are not Member States.

## INFORMATION REQUIREMENTS

### COMPLEMENTARY APPLICATION TO A PREVIOUSLY SUBMITTED APPLICATION

#### A. GENERAL INFORMATION

Unless otherwise detailed here below, there are no material changes to be highlighted to the information contained in Section A – General Information – provided at the occasion of the original COSME LGF Application on **XX XXXX 20XX**.

#### B. PROPOSAL

##### 1. PROPOSED PRODUCT TO BE COVERED UNDER THE COSME EU GUARANTEE FOR DEBT FINANCING:

All information required below concerning the activity of the applicant institution and its products must be provided, specifically and in detail, for:

(a) SMEs (according to the EU Definition following the Commission Recommendation 2003/361/EC – OJ L124, 20.05.2003, p. 36 as amended from time to time); and

(b) Debt Financing with final maturity of at least 12 months; and

(c) Debt Financing with a principal amount of up to EUR 150,000 (for both banks and guarantee institutions). Debt Financing with a principal amount above EUR 150,000 may also be covered under the Facility - except under the COSME Digitalisation Pilot and COSME LGF COVID-19 Sub-window- as long as the Financial Intermediary can demonstrate, by means of a checklist including all relevant Eligibility Criteria, that the SME/Final Recipient would not be eligible under the guarantee window of the InnovFin mandate<sup>5</sup>.

##### 1.1. APPLICATION UNDER THE EU GUARANTEE

1.1.1. Application for an Extension and Increase under OPTION 1 of the SME High Risk Definition, new product with higher credit risk, either Direct or Counter-Guarantee model and including the COSME Digitalisation Pilot, if applicable

- Achievements to date under the ongoing COSME agreement(s).
- Envisaged volumes with an EU Guarantee over a period of 3 years; please provide the basis/assumptions for such estimate.
- Additional considerations, if any.

1.1.2. Application for an Extension and Increase under OPTION 2 of the SME High Risk Definition, increase in volumes, either Direct or Counter-Guarantee model and including the COSME Digitalisation Pilot, if applicable

- Achievements to date under the ongoing COSME agreement(s).
- Envisaged volumes with an EU Guarantee over a period of 3 years; please provide the basis/assumptions for such estimate.
- Additional considerations, if any.

1.1.3. Application under the COSME LGF COVID-19 Sub-window, either Direct or Counter-Guarantee model:

- Envisaged volumes with an EU Guarantee over a period up to (and including) 31 December 2020; please

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<sup>5</sup> For further information on the InnovFin mandate and the related guarantee window, please refer to the following link: [http://www.eif.org/what\\_we\\_do/guarantees/single\\_eu\\_debt\\_instrument/innovfin-guarantee-facility/index.htm](http://www.eif.org/what_we_do/guarantees/single_eu_debt_instrument/innovfin-guarantee-facility/index.htm)

provide the basis/assumptions for such estimate.

- The envisaged pricing should be detailed including how it fits in the current pricing policy.
- In the situation where the Applicant is also taking part to a national COVID support scheme<sup>6</sup>, the Applicant should elaborate on how it is making use of such scheme and what activity(-ies) such scheme is supporting
- In connection to the above, the Applicant should detail how it would foresee to use the COSME LGF COVID-19 support with a view to ensure complementarity of such support to the national support scheme activity(-ies)
- Implementation strategy: externally (liaising with partners, marketing, etc.) and internally (necessary procedures, systems, etc.). Please also provide an estimate of the expected time needed to prepare for implementation.

### **3. MARKETING AND PROMOTION OF EU SUPPORT:**

- Please note that the Financial Intermediary will be required to promote the products offered under the EU Guarantee through its website, including concrete information on how/where to apply and contact points for Final Recipients and that all information and promotional material of the product must clearly point to the support provided by the EU Guarantee.
- Please note that the Financial Intermediary will be required to explicitly inform Final Recipients that financing is made possible through the support of the EU Guarantee with the financial backing of the European Union under COSME Financial Instruments and that such information needs to be prominently included either in the contractual documentation and/or in an accompanying cover letter and it shall be duly acknowledged by the Final Recipient.
- Please note that the EIF, in cooperation with the Financial Intermediary, will identify and develop within 24 months from the start of the Availability Period of each agreement with a Financial Intermediary case studies on Final Recipients benefitting from the Facility, which may result in a publication by the European Commission.

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<sup>6</sup> In particular to those schemes notified to the EC and published on: [https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/economy/state-aid-cases\\_en](https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/economy/state-aid-cases_en)