



## **INTEGRITY PACT**

**(Pursuant to Art. 1, paragraph 17, of Law 190/2012, containing 'Provisions for the prevention and repression of corruption and illegal practices in the public administration')**

### **REGARDING ALL TENDER PROCEDURES CONDUCTED BY BANCA D'ITALIA**

**By and between BANCA D'ITALIA,  
a public-law entity with registered office in Rome,  
Via Nazionale, 91 (Taxpayer ID no. 00997670583 – VAT no. 00950501007)  
(hereinafter 'BdI'); and**

**Any Undertaking, including auxiliary undertakings and subcontractors, interested in participating in the tenders and in performing the relative contracts (hereinafter the 'Economic Operator')**

also referred to herein as the 'Parties', who agree as follows:

#### **Article 1**

##### **(Scope and purpose)**

1. By signing this Pact, the Parties mutually agree to act in accordance with the principles of integrity, transparency and fairness in all phases of the tender procedures, from participation in the bidding process to performance of the relative contract, if any.
2. In particular, the Parties acknowledge that they will not offer, accept or request sums of money or any other compensation, advantage or benefit, direct or indirect, in order to affect the contract award decision and/or interfere with the proper performance of the relative contract.
3. This Pact governs the relationship between the Parties and, in particular, between any person engaged by the Parties during the tendering phase and in the performance of the relative contract.



4. The Parties agree to inform all persons involved in the tender procedure of the obligations herein and to ensure their compliance with these obligations.
5. This Pact, signed and presented by the Economic Operator at the time of bid submission, forms an integral and substantive part of any contract to be signed at the conclusion of the tender.
6. This Pact represents a preventive measure against corruption, abuse of office or practices that in any way could impair the proper conduct of BdI's administrative action connected with the awarding and performance of its public contracts.

## **Article 2**

### **(Obligations of the Economic Operator)**

1. The Economic Operator shall report to BdI any disruption, irregularity, distortion or illegal act, even if only attempted, that occurs during the contract awarding process or while the contract is being performed, by any person concerned or employee or by anyone who could influence the decision making concerning this tender. In particular, if it is awarded the contract, the Economic Operator agrees to timely notify BdI of any illegal request for money, services or other benefit, or offer of protection that is made to its representative or employee in the course of the performance of the contract, without prejudice to the obligation to file a report with the judicial authorities where provided for by law.
2. Any instances of corruption or other illegal acts, without prejudice, in any case, to the contents of Articles 331 et seq. of the Criminal Procedure Code, shall be reported to the Purchasing Process Manager and to the Anti-Corruption and Transparency Officer of BdI.
3. The Economic Operator shall require the persons that are involved in any way with the performance of the contract to comply fully with this Pact and shall verify said compliance.
4. The Economic Operator declares that it has not made appointments pursuant to Article 3, paragraph 16-ter, of Legislative Decree 165/2001 and agrees to report conflicts of interest of which it becomes aware regarding BdI personnel.
5. The Economic Operator declares that it has not entered into agreements with other bidders intended to limit, restrict or distort competition and confirms that it shall not make arrangements for such purposes with other participants while the tender is being conducted.

## **Article 3**

### **(Sanctions)**

1. In addition to being reported to the competent bodies, the violation of the obligations set out in this Pact can result, after the conduct of an adversarial procedure, in the imposition of the following sanctions, which can be cumulative, without prejudice to the responsibility provided for by law:
    - a) exclusion of the Economic Operator from the contract awarding process and (if applicable) revocation of award;
    - b) (if applicable) termination of the contract stipulated and/or compensation for damages and/or
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imposition of penalties;

- c) enforcement of the provisional or definitive guarantee.

#### **Article 4**

##### **(BdI's obligations)**

1. BdI shall initiate the proceedings provided for by law and internal regulations against staff who do not comply with the principles and obligations referred to in Article 1 or with the obligations of conduct provided for by BdI's internal regulations and Code of Ethic.
2. BdI shall verify all reports it may receive concerning anomalous behaviour by its staff relating to the tender procedures and the phases of performance of the contract.

#### **Article 5**

##### **(Duration)**

1. This Pact and the relative sanctions shall take effect as of the start of the tender procedure and shall remain in effect until the resulting contract that is stipulated is fully and properly performed.

Banca d'Italia

On behalf of the Senior Deputy Governor

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