



Cuba: Due Diligence Questionnaire

Forming part of the larger Corporate Social Responsibility (CSR) Framework of CCC, and in keeping with the CCC Code of Conduct and Business Ethics (Code), this questionnaire is used to assist CCC in completing its due diligence review of its suppliers as well as demonstrating CCC's commitment to doing business with suppliers that respect the law and act with integrity. Note: where additional details are required, please attach.

Recipient Country: Cuba – Cuba Contracting Program

Brief Description of Project: Sale of goods through a competitive process

Existing/ Repeat Supplier to CCC: Yes No

Name of Buyer(s): _____

Section 1 – General Information

Company's Full Legal Name: _____

Nationality: Canadian

Industry: eg. _____

Consulting/ Defence/ Aerospace/ _____

Engineering/ Construction/ Manufacturing: _____

Number of Employees: _____

Address in Canada: _____

Website Address: _____

Contact Person's Full Legal Name: _____

Telephone: _____

E-mail: _____

GST / HST #: _____

Section 2 – Ownership

2.1	How many years has your company been in business?			
2.2	Attach list of any former names of your company (if applicable).	Attached	<input type="checkbox"/>	N/ A <input type="checkbox"/>
2.3	Is your company a subsidiary or does your company have any subsidiaries and/or affiliates?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide the name of the parent, subsidiary and/or affiliate organization and the relationship to your company. Please provide an organizational chart, if available.				
2.4	Is your company publicly traded?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Private companies only: please attach a complete list of all Directors, Officers and Owners. Please provide an organizational chart, if available.		Attached	<input type="checkbox"/>	N/ A <input type="checkbox"/>



Section 3 – Legal

3.1	Please attach a copy of incorporating documents or a compliance certificate containing the status of the company and the legal name.	Yes	<input type="checkbox"/>	N/ A	<input type="checkbox"/>
If you answer <i>yes</i> to any of the following questions, please attach the details:					
3.2	Are there any judgments, claims, or arbitration proceedings or law suits threatened, pending or outstanding in any jurisdiction in excess of \$500,000 against your company (or any person listed in this questionnaire) within the last 5 years?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
3.3	Has your company (or any person or entity listed in this questionnaire) filed any law suits or requested arbitration with any other federal government department or agency within the last 5 years?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Section 4 - Integrity and Business Ethics

Within the past 5 years:					
If you answer <i>yes</i> to any of the following questions, please attach the details.					
4.1	For the following questions (4.1.a to 4.1.d), please indicate if your company (or any person or entity listed in this questionnaire), by itself or in partnership, or any of its related companies, principle shareholder, senior officer or senior management has ever:				
a.	been debarred by any government or international organization from tendering?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
b.	been investigated for, been charged with, or been found guilty in any court, or subject to equivalent administrative measures, for violation of the <i>Corruption of Foreign Public Officials Act</i> or any other anti-corruption/bribery laws?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
c.	been investigated for, been charged with, or been found guilty in any court, or subject to equivalent administrative measures of violating any rules or regulations governing the purchase or sale of goods or services to or by any government?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
d.	been investigated or found guilty of violations involving income tax fraud, securities or competition laws?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.2	Does your company have a written policy regarding corruption or bribery?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.3	Does your company provide anti-corruption / anti-bribery training for those employees involved in high risk countries and activities?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.4	Do you have controls and procedures established within your company with respect to foreign public officials being offered gifts, hospitality, entertainment, travel or other expenses?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.5	Has your company been audited for business integrity compliance by a third-party in the last 5 years?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>



Section 5 – Government of Canada’s Integrity Regime

Please consult the following links:

<http://www.tpsgc-pwgsc.gc.ca/ci-if/declaration-eng.html> and <https://www.tpsgc-pwgsc.gc.ca/ci-if/politique-policy-eng.html>

5.1 Upon review of the Public Works and Government Services Canada (PWGSC) (<i>in the process of being renamed to Public Services and Procurement Canada (PSPC)</i>) Integrity Declaration Form and the Ineligibility and Suspension Policy , could your company be declared ineligible or suspended from being awarded a federal contract or real property agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
--	--

http://www.international.gc.ca/trade-agreements-accords-commerciaux/ncp-pcn/index.aspx?lang=eng&menu_id=1&menu=R and <http://www.oecd.org/corporate/mne/1922428.pdf>

5.2 We understand that CCC expects that Canadian companies will cooperate in good faith with proceedings before any National Contact Point (NCP) for the OECD Guidelines for Multinational Enterprises which involve a request for review that names the Company.	Yes <input type="checkbox"/> No <input type="checkbox"/>
---	--

Section 6 – Agents, Representatives and Business Partners

6.1 Does your company hire a Cuban worker through one of the Cuban employment agencies such as Acorec, Palco, CiHSA or CETA? If yes, please attach a copy of the contract with the agency and confirm that the salary is being paid as noted in the contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.2 Other than in 6.1, does your company hire agents, representatives and/or third party intermediaries? If yes, please respond to Questions 6.3 and 6.4.	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.3 Does your company have a written policy and/or processes regarding the use of agents and representatives and third party intermediaries? If yes, please attach a copy of the policy and explain how it has been applied.	Yes <input type="checkbox"/> No <input type="checkbox"/>
6.4 If your company hires agents, representatives and/or third party intermediaries, does your company conduct risk-based due diligence before entering into any agreement with an agent, representative and/or third party intermediary? If yes, please attach a sample of the due diligence completed for agents, representatives and/or third party intermediaries.	No <input type="checkbox"/> Yes and Attached <input type="checkbox"/>

Section 7 – Foreign Public Officials

7.1 Have any gifts or benefits, including project related trips been given to any public officials of the buyer? If yes, please attach confirmation of compliance with local and Canadian laws.	No <input type="checkbox"/> Yes and Attached <input type="checkbox"/>
7.2 Provide the names of principal officials or other contacts on the Buyer side who have engaged with the Supplier.	Attached <input type="checkbox"/> N/ A <input type="checkbox"/>



7.3 Is there a bonus or incentive scheme in place for the Supplier's senior officers, manager or employees that relates to the project? If yes, please attach details.	No <input type="checkbox"/> Yes and Attached <input type="checkbox"/>
7.4 Were any third party intermediaries required or recommended by the Buyer? If yes, please attach details.	No <input type="checkbox"/> Yes and Attached <input type="checkbox"/>
7.5 Please provide the substantive qualifications of any third party intermediaries that will have contact with foreign public officials.	N/ A <input type="checkbox"/> Attached <input type="checkbox"/>



Section 8 –Certificate of Compliance

This certificate is furnished with the intent that it may be relied upon as a basis for CCC to enter into a contract with the Supplier.

I am a senior officer of the company and I hereby certify in such capacity that, to the best of my knowledge, but after reasonable enquiry, that the information contained in response to this questionnaire are true and correct in all material respects.

I have reviewed the Public Services and Procurement Canada (PSPC) [Integrity Declaration Form](#) and the [Ineligibility and Suspension Policy](#), and confirm that our company would not be declared ineligible or suspended from being awarded a federal contract or real property agreement.

I have reviewed and understand that CCC expects that Canadian companies will cooperate in good faith with proceedings before any [National Contact Point \(NCP\)](#) for the [OECD Guidelines for Multinational Enterprises](#) which involve a request for review that names the Company.

Neither the company nor an affiliate, by itself or in a partnership, or anyone acting on our behalf, is / has been engaged or will engage in any illegal activity under any law including the *Criminal Code of Canada* and the *Corruption of Foreign Public Officials Act* or similar legislation in a foreign country.

Neither the company, by itself or in partnership, or anyone acting on our behalf in connection with the project are being investigated for, been charged with, or have been found guilty in any court, or subject to equivalent administrative measures by a public body for unethical business practices.

Furthermore, on behalf of the company I acknowledge and understand that:

- (a) CCC's provision of support to the company is based on, and CCC fully relies on, the truthfulness of the information provided in response to this questionnaire and the statements in this Certificate of Compliance;
- (b) any material inaccuracy herein may result in the withholding of CCC support and/or the termination of contractual arrangements concluded and/or any liability arising from the same; and
- (c) CCC may in its discretion, disclose to Canadian law enforcement authorities circumstances
 - (i) indicating that an offence under any applicable criminal law dealing with the bribery of public officials including the CFPOA has taken place, or
 - (ii) leading to the reasonable apprehension thereof, whether or not CCC has provided support in respect of such transaction.

Signed, this ____ day of _____, 20__, in _____, Canada.

(Signature, Name and Title of Senior Officer of Supplier)

Privacy Statement: The personal information collected is to be used to determine eligibility for entering into agreements with the Canadian Commercial Corporation. An incomplete form may result in withdrawal of CCC's request for your participation in the solicitation. Any personal information will be maintained in the Personal Information Bank of the Canadian Commercial Corporation ("CCC"), and it will be protected, used and disclosed in accordance with the *Privacy Act*. Under this *Act*, you have the right to access your personal information and request changes to incorrect information.