



EXPORT CONTROL CLASSIFICATION DECLARATION

The reference immediately below to be filled in by Capgemini:
RFQ/RFP/RFI or Contract Reference or Supplier/Partner Reference (as applicable):

SECTION 1 – INFORMATION ABOUT THE SUPPLIER AND/OR PARTNER

1.1 Company name	
1.2 Address of the registered office	
1.3 City/State	
1.4 Postal/Zip Code	
1.5 Country	
1.6 Export control contact person	
1.7 Name	
1.8 Position	
1.9 Email address	
1.10 Is the Supplier/Partner the same as Manufacturer?	Y <input type="checkbox"/> N <input type="checkbox"/>

If **YES** (Supplier/Partner and Manufacturer are the same entity), please fill in **Section 1** only.
 If **NO** (Supplier/Partner and Manufacturer are two different entities), please fill in **Section 1 and Section 1A** respectively.

SECTION 1A – INFORMATION ABOUT THE MANUFACTURER

1A.1 Company name	
1A.2 Address of the registered office:	
1A.3 City/State	
1A.4 Postal/Zip Code	
1A.5 Country	

SECTION 2 – INFORMATION ABOUT PRODUCTS/TECHNOLOGY/SOFTWARE OR SERVICE (“ITEM”)

2.1 Item name	
2.2 Item type	<input type="checkbox"/> Hardware <input type="checkbox"/> on-premise Software <input type="checkbox"/> SaaS with on-premise components <input type="checkbox"/> Other Services <input type="checkbox"/> Technology <input type="checkbox"/> Other Products/Equipment
2.3 Additional information (<i>fill in if applicable</i>)	
2.4 Is the delivery/provision of the Item and/or its possible re-export or re-transfer subject to any export control or foreign trade related legal restriction?*	Y <input type="checkbox"/> N <input type="checkbox"/>

***If you answer NO to this question, STOP HERE and SIGN the document.**

SECTION 3 – EU EXPORT CONTROL REGULATIONS

3.1 Is the Item listed in the EU dual use list?	Y <input type="checkbox"/> N <input type="checkbox"/>
3.2 If yes, please provide the Export Control Classification Number (ECCN) under the EU dual-use list	
3.3 For encryption controls, did you declare the Item to the French ANSSI?	Y <input type="checkbox"/> N <input type="checkbox"/> (if yes, please attach the ANSSI certificate)

SECTION 4 – NATIONAL REGULATIONS EXCEPT THE US

(IF BOTH THE MANUFACTURER AND THE SUPPLIER/PARTNER ARE IN THE US, GO DIRECTLY TO SECTION 5)

4.1 Is the delivery/provision of the Item to Capgemini subject to any national export control or foreign trade related legal restrictions from the Manufacturer's or from the Supplier's/Partner's country?	Y <input type="checkbox"/> N <input type="checkbox"/>
4.2 If yes, please specify the type of control	<input type="checkbox"/> Dual use <input type="checkbox"/> Military
4.3 If yes, please specify the country of applicable export control regulation(s) and national regulations controlling the Item	



4.4 For dual use Items, please provide the Export Control Classification Number (ECCN)	
4.5 For military Items, please provide the Military List category and applicable classification number	
4.6 Have you already obtained all necessary export licenses/authorizations to deliver your Item to all Capgemini affiliates?	Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/>
4.7 If yes, please provide appropriate details (e.g. authorizations obtained)	
4.8 If no, please provide appropriate details (authorizations missing or why licenses are not necessary)	
4.9 Are there any re-transfer/re-export control provisions or conditions?	Y <input type="checkbox"/> N <input type="checkbox"/>
4.10 If yes, please specify:	

SECTION 5 – US EXPORT CONTROL REGULATIONS

(FILL IN IF THE ITEM IS US ORIGIN OR OTHERWISE SUBJECT TO US EXPORT CONTROL LAWS)

5.1 Is the Item subject to the International Traffic in Arms Regulations (ITAR)?	Y <input type="checkbox"/> N <input type="checkbox"/>
5.2 Is the Item subject to the U.S. Export Administration Regulations (EAR)?	Y <input type="checkbox"/> N <input type="checkbox"/>

5.3 If YES, please provide the following information for the Item, as applicable:

USML Category	Full ECCN (including all extensions) or EAR99	CCATS Number or Self-Classified	Applicable export licenses or license exceptions (including applicable subparagraphs), if any	HTS code

SECTION 6 – NON-US ORIGIN ITEMS WITH US-ORIGIN CONTROLLED CONTENT/COMPONENT

6.1 Does the Item contain US-origin controlled content/component*?	Y <input type="checkbox"/> N <input type="checkbox"/>
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*as defined below in the Guideline

6.2 Please list the US-origin controlled components/content embedded in the Item in the table below:

Description of the component/content	Manufacturer of the component/content	Quantity	Value of EAR content/component	Classification number of component/content
6.3 Is US-origin controlled content/component under <i>de minimis</i> threshold?		Yes < 10% <input type="checkbox"/>	Yes < 25% <input type="checkbox"/>	No <input type="checkbox"/>
6.4 Indicate the total value in USD of US-origin controlled content/component				

SECTION 7 – THIRD COUNTRY REQUIREMENTS

7.1 Is the re-export or re-transfer of the Item subject to any foreign trade or export control laws and regulations of a third country (other than national regulations in Section 4 or the US regulations in Section 5 and 6)?	Y <input type="checkbox"/> N <input type="checkbox"/>
7.2 If yes, specify the imposed restrictions, the jurisdiction at issue and the legal basis	

SECTION 8 – CLASSIFICATION CHANGES

8.1 Was the Item and/or the components/content subject to classification changes in the past 5 years?	Y <input type="checkbox"/> N <input type="checkbox"/>
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8.2 If YES, please provide the following information for the Item and/or component/content:

Product/technology/software or component/content (Type/Version/Part #, if applicable)	Prior classification list number and name of classification list	Date of change of classification
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Supplier/Partner hereby acknowledges and confirms that the information provided herein is true, complete, and accurate.

Supplier/Partner commits to confirm the accuracy of this Declaration at least **every 2 years** and to update it as soon as it becomes aware of (i) any changes made by manufacturer or Supplier/Partner to the Item affecting its export control classification or (ii) any changes to the export control regulation applicable to the Item resulting in changes to the export control classification.

Supplier/Partner undertakes to comply with all applicable export controls and sanctions laws and regulations.

I, the undersigned, certify that I am duly entitled to act for and on behalf of the Supplier/Partner and I hereby certify that the information provided in this declaration is true, complete, and accurate and that I shall immediately notify Capgemini in the event of any change of the information contained herein.

Name:

Company stamp:

Position:

Company:

Signature

Date and place

GUIDANCE ON EXPORT CONTROL CLASSIFICATION DECLARATION

GENERAL REMARKS

This Declaration is binding upon the Supplier and/or Partner of Capgemini and may also be included, upon Capgemini's demand, as an appendix of the procurement agreement between the Supplier and Capgemini.

Supplier and/or Partner must submit paper and/or electronic copies of the documents to Capgemini. Improperly completed or incomplete documents will be returned for modification/completion. The document must be duly signed and stamped by the Supplier and/or Partner.

SECTION 1 (INFORMATION ABOUT THE SUPPLIER/PARTNER/MANUFACTURER)

Ensure that the Supplier's and/or Partner's legal name and address details are provided.

If the Supplier and/or Partner is not the Manufacturer of the product/ technology/ software, also complete Section 1A and ensure the Manufacturer's legal name and address details are provided.

Include the name and email address of the individual responsible for the completion and the forwarding of the Declaration in case clarification of any details given is required.

SECTION 2 - INFORMATION ABOUT PRODUCTS/TECHNOLOGY/SOFTWARE OR SERVICE ("ITEM")

Name the Item - product/technology/software or service you intend to provide.

Item type: Please note that Software as a Service (SaaS) may include some on-premise components, including without limitation, browser plugins and downloadable agents, and these components may be export controlled. If your SaaS solution includes on-premise components please select "**SaaS with on-premise components**". Otherwise, please select "**other services**". Pure SaaS services are usually not export-controlled even if the software itself is export-controlled.

In "additional information", add any information which is relevant to identify the Item, to describe the intended use, or to understand the export control classification.

Indicate whether the delivery of the Item to Capgemini (or directly to the end-client, as the case may), and possible re-export or re-transfer of the Item by Capgemini is subject to any export control or foreign trade related legal restrictions.

If 'yes', further information must be given in the other sections.

If 'no', it is not necessary to fill out the other sections of this document.

SECTION 3 – EU EXPORT CONTROL REGULATIONS

Indicate if the product/ technology/ software or the provision of services is listed on the EU dual use list (meet the technical characteristics of any item listed in the EU dual-use list) and controlled by the Regulation (EC) N°2021/821 when exported or re-exported from the EU member states to non-EU countries.

SECTION 4 – NATIONAL REGULATIONS EXCEPT THE US

Indicate whether the product/technology/software or service you intend to provide is subject to export control or foreign trade related requirements in the country from which you intend to export/transfer (Supplier's/Partner's country) or in the country of origin (Manufacturer's country).

The objective is to identify the export control classification and the export and re-export restrictions according to national regulations of the Supplier's/ Partner's country and of the Manufacturer's country.

If the Item is export controlled by non-US national regulations, specify in this section the export control classification number according to these national classification lists, the export licenses/authorizations allowing the export to Capgemini and/or directly to the end-client (as the case may be), as well as any re-transfer/re-export control provisions or conditions of these national regulations, that could prevent Capgemini from re-exporting or re-transferring the Item.

If you are unsure about the export control classification, the authorization needed, or the re-transfer/re-export provisos please contact your national export control authority for advice.

If the Supplier/Partner and the Manufacturer are both located in the US, it is not necessary to complete this section. The information can be provided directly in Section 5.

SECTION 5 – US EXPORT CONTROL REGULATIONS

(IF THE ITEM IS US ORIGIN OR OTHERWISE SUBJECT TO US EXPORT CONTROL LAWS)

Indicate whether the Item is subject to US export control laws and regulations (International Traffic in Arms Regulations, "ITAR" or Export Administration Regulations, "EAR").

If the Item is subject to the ITAR, specify the USML category and subcategory.

If the Item is subject to the EAR, specify the Export Control Classification Number (ECCN) of the Commerce Control List (CCL) (including all sub-paragraphs) (Supplement No. 1 to EAR 774). Also indicate the number of any export classification ruling you have obtained (called a commodity jurisdiction or CJ, in the case of the ITAR and a CCATS in the case of the EAR). Advise whether the product/technology/software was, instead, self-classified.

In either case, specify under which export license, export authorization or license exception or exemption the Item will be exported to Capgemini or directly to the end-client (as the case may be) and highlight any related re-transfer/re-export provisos or conditions. If a license exception/exemption applies, specify which one, including applicable sub-paragraphs.

SECTION 6 – NON-US ORIGIN ITEMS WITH US-ORIGIN CONTROLLED CONTENT/COMPONENT

US-origin controlled content/component* is, for the purpose of this declaration, either ITAR content/component or content/component subject to the EAR with an ECCN (it exclude EAR99 content/component)

Indicate whether your product/technology/software incorporates US-origin controlled components/content even if it falls under the *de minimis* level of EAR 734.4

Give the legal name and address details of the Manufacturer as well as the quantity and value of US-origin controlled components/content embedded in the product/technology/software.

Provide the total value of US-Origin Controlled content/component and specify if your Item falls under the *de minimis* rule (less than 10% or less than 25% of US-Origin Controlled Content)

SECTION 7 – THIRD COUNTRY REQUIREMENTS

Specify whether the re-export/re-transfer of the product/technology/software, of the components/content or of the service falls under foreign trade or export control restrictions of a third country.

“**Third country**” means neither the Supplier’s and/or Partner’s or Manufacturer’s country (restrictions already identified in section 4) nor the US (restrictions already identified in sections 5 and 6).

Export control restrictions may be linked to third party’s components/content previously exported from this third party’s country, under specific export control provisos or restrictions.

If the restrictions relate to components/content indicate the quantity embedded in the product/technology/software.

Describe the imposed restrictions, specify the jurisdiction and give the legal/regulatory basis.

SECTION 8 – CLASSIFICATION CHANGES

Indicate whether the product/technology/software and/or components/content were subject to classification changes. In case of change specify the date of change and the former classification number.