**VAT AND FIXED ESTABLISHMENT STATEMENT[[1]](#footnote-1) (\*)**

Gestore dei Mercati Energetici S.p.A.

Largo Tartini, 3/4

00198 – Roma

I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_, born in\_\_\_\_\_\_\_\_\_\_\_\_\_\_, on\_\_\_\_\_\_\_, taxpayer’s code\_\_\_\_\_\_\_\_\_\_\_\_, residing in\_\_\_\_\_\_\_\_\_\_\_\_\_\_, address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, legal representative of the company \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(NOTE: Market Participant)*, having its:

* registered office in (country) \_\_\_\_\_\_\_\_\_\_\_\_\_\_, (town/city) \_\_\_\_\_\_\_\_, address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, VAT identification number \_\_\_\_\_\_\_\_\_\_\_;
* fixed establishment in (country) \_\_\_\_\_\_\_\_\_\_\_\_\_, (town/city) \_\_\_\_\_\_\_\_, address \_\_\_\_\_\_\_\_\_, VAT identification number \_\_\_\_\_\_\_\_\_\_\_, as per the certificate issued by the relevant tax authorities and enclosed hereto with the related sworn and apostilled translation (if it is not in the Italian language) for fixed establishments located in non-EU countries;

**HEREBY STATE**

in connection with trades/transactions on the TEE Register:

* that all the trades/transactions will be carried out directly from the main place of business;
* that all the trades/transactions will be carried out with the technical and human resources of the fixed establishment located in (country) \_\_\_\_\_\_\_\_\_\_\_\_\_, (town/city) \_\_\_\_\_\_\_\_, address, VAT identification number \_\_\_\_\_\_\_\_\_\_\_.

I, the undersigned, also undertake to submit a new statement in case of change of the above data.

I, the undersigned, will be fully responsible and liable for the accuracy and truthfulness of the submitted statements and data, holding Gestore dei Mercati Energetici S.p.A. (hereafter “GME”) harmless from and against any and all responsibilities and liabilities regarding the correct application of the taxes based on the above statements. If the above-mentioned data are untruthful, I will bear all the costs in connection with differences in taxes, pecuniary sanctions, interest and any other amount that GME may be required to pay to the financial administration and/or to any other entity involved, as well as court fees, regardless of the legitimacy of the claim filed against GME by the financial administration and/or any other entity involved. I, the undersigned, undertake to pay the requested amounts within 5 (five) days at the latest.

Where any defence filed by GME with the financial administration and/or any other entity involved, in order to protect its interests and make its arguments heard, has a demonstrated positive final outcome, then the undersigned will be entitled to the refund of the amounts paid in accordance with the above paragraph, to the extent that GME has obtained, for such reason, a refund from the financial administration and/or any other entity involved. GME will be held to refund the undersigned of the amounts that he/she has paid and that have been demonstrated not to be due to the financial administration and/or to any other entity involved, provided that the undersigned has asked GME - in due course and within the time limits mandated by law - to file a claim for refund of the aforesaid amounts with the relevant bodies. GME will fulfil the aforesaid obligation to the extent that it will obtain the aforesaid refund from the financial administration and/or any other entity involved.

Without prejudice to the above for the purposes of the application of VAT, I, the undersigned, also state that the trades/transactions possibly carried out by a fixed establishment will produce the same effects, in terms of rights and obligations, also with regard to the guarantees posted to cover obligations, as if they had been carried out directly from the main place of business.

I hereby enclose a copy of my identity document.

Stamp and signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(\*) This is a courtesy translation. You must submit only the Italian version of the document.**

1. Statement to be submitted on the company’s letterheaded paper. [↑](#footnote-ref-1)