

**This document is a non-binding translation but only serves as assistance for tendering. Please consult the relevant call for tender at [www.evergabe-online.de](http://www.evergabe-online.de) for the legal binding documents. DO NOT fill and submit any translated form. Matters of law will ONLY be ruled upon based on German-language documents.**

**Annex "Commitment on VS-NfD" (as of 24 Aug. 2020) Ref. no: \_\_\_\_\_**

**Commitment on handling of material classified "VS-NfD" (VERSCHLUSSACHE NUR FÜR DEN DIENSTGEBRAUCH)**

The contract award documents/contractual documents include information with the security classification "VS-NfD" (Restricted).

You (as candidate/tenderer or contractor) must undertake to comply with the provisions laid down in the Instruction Sheet on the Handling of Material Classified VS-NfD\* and to handle classified material accordingly.

Documents/Information classified VS-NfD cannot be released to you until the BMI Procurement Office has received your declaration of commitment.

Reference is made to Section 353(b) of the German Criminal Code and to the right of extraordinary termination of the contractual relationship in accordance with Section 20 of the General Terms and Conditions of the BMI Procurement Office.

If the aforementioned information is to be disclosed to other undertakings in the context of reliance on their resources or of subcontracting or to members of a candidate/tendering consortium, these undertakings/members shall be named. These undertakings/members shall also submit their own declaration. The same shall apply to lawyers who must be made aware of classified information in order to protect legal interests.

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**Declaration:**

The commitment is made by

\_\_\_\_\_  
(Company name, place)

to comply with the provisions laid down in the Instruction Sheet on the Handling of Material Classified VS-NfD, Annex 4 to the BMWi Handbook of Industrial Security.

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\* See <https://bmwi-sicherheitsforum.de/handbuch/anlagen> for the VS-NfD Instruction Sheet (Annex 4 to the BMWi Geheimschutzhandbuch (Handbook of Industrial Security)).

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The following persons shall be responsible for ensuring compliance with and adopting all measures in accordance with the VS-NfD Instruction Sheet:

	<b>Person responsible</b>	<b>Deputy</b>
Name:		
First name:		
Postal address:		
Contact details: <ul style="list-style-type: none"> <li>• E-mail:</li> <li>• Phone:</li> </ul>		

The persons responsible for undertakings subject to security rules are the security official and his/her deputy.

Their responsibilities are:

- to inform the undertaking's staff of the VS-NfD Instruction Sheet in a verifiable manner;
- to monitor compliance with the measures required to protect classified information in the undertaking;
- to ensure compliance with the regulations specified in the Classified Information Directive when taking classified information to places outside the undertaking's premises (e.g. teleworking as well);
- to take specific measures when using information technology, e.g. the use of encryption technology, firewalls, application gateways and antivirus software;
- to obtain the approval of the contracting authority for releasing classified information to subcontractors, for example.

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Place, date	Stamp and signature and/or certified electronic signature
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*This Declaration must be completed, signed and stamped and/or signed electronically and submitted to the BMI Procurement Office.*