| | | ED TO QUOTE FOR REQUIREMENTS AT | | | | | | | | ialah | | | | ••••• | | ••••• |
|----------------|------------------|---|-------------------|---|---------|----------|-----------|----------|--------|--------|--------|----------|-------------|--------------|--------|-------|
| | | PA/2022 FACSIMILE NUMBER: | | | | | | | | | | | | | | |
| | | THE QUOTE: Lungani Ngcemu | | | | | | | | | | | | | | |
| | | TECHNICAL INFORMATION: Nolwazi M | | | | | | | | | | | | | | |
| PHYSICAL | ADDRESS: | 00 Vusi Mzimela Road Mayville 4091 | | | | | ******** | ***** | | | | | ., | ••••• | | |
| QUOTE NU | JMBER: ZNQ/ | /IAL/13/22/23 CI | LOSING DATE: 13/0 | 4/202 | 2 | | | | CLC | SING | TIME | E: 11:00 |) | | | |
| DESCRIPTI | ON 15 Tins, Cy | ytological fixative 100ml Aerosol can | | | | | | | | | | | | | | |
| | | FOLLOWING PARTICULARS MUST BE F | | | | | | 2000 | | | - | | 930,000,000 | **** | | |
| | | | NAME & ADDRESS | | | | | | | | | | | | | |
| NAME OF B | BIDDER: | | NAME & ADDRESS | DATE | | rirui) | | | | | | | | - | | |
| PHYSICAL | | | | | | RESS: | | | | | | | | | | |
| CONTACT | NUMBER: | | | FACS | SIMILE | NUME | BER: | | | | 2000 | | | | -0.75 | |
| SIGNATUR | E OF BIDDER: | K | | SARS PIN: | | | | | | | | | | | | |
| [By signing | this document, I | I hereby agree to all terms and conditions) | | CENTRAL SUPPLIER DATABASE REGISTRATION (CSD) NO.: ↓ | | | | | | | | | | | | |
| UNIQUE RE | GISTRATION | REFERENCE: ↓ | | | | | | | | | | | | | | |
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| oes this offer | r comply with th | he specification? | l s | tate deli | very pe | eriod, e | .g. 1d | ay, 1 | week | | | - | | Т | | - |
| the price fire | m? | | | II deliver | | | _ | - | | quot | ed pri | ce | | | | |
| Item (| Quantity | Description | | ellenel - vi | | T, | Brand . | 2 mo | del | | | untry | | | Price | |
| NO | | | | n zer stee | | - | Ji dili d | <u> </u> | ш., | | ma | anufact | ure | - 1 | R | |
| 01 | 15 Tins | Cytological fixative | 100ml Aerosol can | | | - | | | | | + | | | + | | |
| | encons. Poor | | | | | + | | | | | + | | | + | | |
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| | | | | | _ | + | - | - | | 4.27.5 | 1 | | | † | | |
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| | NB// | Please see attack | ned specification | | | | | | | | | | | | | |
| | | | | | | | | | | | _ | | | + | | |
| - | | | | | | -1 | | | | | - | | | + | | |
| VALUE AD | DED TAX ര 14 | 5% (Only if VAT Vendor) | | | | | | | Tra-co | | | | | + | | |
| | | CE (VALIDITY PERIOD 60 Days) | IX | | | | _ | | | _ | | _ | | + | V=0.00 | |

- 1.1. The Department is under no obligation to accept the lowest or any quote.
 1.2. The Department reserves the right to communicate in writing with vendors in cases where information is incomplete or where there are obscurities regarding technical aspects of the offer, to obtain confirmation of prices or preference claims in cases where it is evident that a typing, written, transfer or unit error has been made, to investigate the vendor's standing and ability to complete the supply/service satisfactorily ALL DECISIONS TAKEN BY THE DEPARTMENT ARE FINAL, INCLUDING THE AWARD OF THIS
- QUOTATION.
- 1.4. The price guoted must include VAT (if VAT vendor). However, it must be noted that the Department reserves the right to evaluate all quotations excluding VAT as some bidders may not be VAT vendors. The bidder must ensure the correctness & validity of the quotation:

- The bidder must ensure the correctness & validity of the quotation:

 (i) that the price(s), rate(s) & preference quoted cover all for the work/item (s) & accept that any mistakes regarding the price (s) & calculations will be at the bidder's risk

 (ii) it is the responsibility of the bidder to confirm receipt of their quotation and to keep proof thereof. The bidder must accept full responsibility for the proper execution & fulfilment of all obligations conditions devoking on under this agreement, as the Principal (s) labels for the due fulfilment of his contract. This quotation will be evaluated based on the 80/20 points system, specification, correctness of information and/or functionality criteria. All required documentation must be completed in full and submitted.
- Offers must comply strictly with the specification.
 Only offers that meet or are greater than the specification will be considered.
 Late offers will not be considered.
- 1.11. Expired product/s will not be accepted. All products supplied must be valid for a minimum period of six
- months.
 1.12. Used/ second-hand products will not be accepted.
- 1.13. A bidder not registered on the Central Suppliers Database or whose verification has failed will not be
- All delivery costs must be included in the quoted price for delivery at the prescribed destination.
- 1.15. Only firm prices will be accepted. Such prices must remain firm for the contract period. Non-firm prices (including rates of exchange variations) will not be considered.
 1.16. In cases where different delivery points influence the pricing, a separate pricing schedule must be
- submitted for each delivery point.

 1.17. In the event of a bidder having multiple quotes, only the cheapest according to specification will be
- 1.18. Verification will be conducted to identify if bidders have multiple companies and are cover-quoting for this 3.4
- 1.19. In such instances, the Department reserves the right to immediately disqualify such bidders as coverquoting is an offence that represents both corruption and acquisition fraud.
- SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF THIS QUOTATION.

- plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
- Under no circumstances whatsoever may the quotation/ bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such
- The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
- Quotations submitted must be complete in all respects; however, where it is identified that information in a bidder's response is incomplete in any respect, the said suppler meets all specification requirements and is lowest to quote, the Department reserves the right to request the bidder to complete/submit such
- Any alteration made by the bidder must be initialled. Failure to do so may render the response invalid.
- Use of correction fluid is prohibited and may render the response invalid.
 Quotations will be opened in public as soon as practicable after the closing time of quotation.
- Where practical, prices are made public at the time of opening quotations.
 If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
- 2.10 The Department is under no obligation to pay suppliers in part for work done if the supplier can no longer fulfil their obligation
- SPECIAL INSTRUCTIONS REGARDING HAND-DELIVERED QUOTATIONS
- Quotations shall be lodged at the address indicated no later than the closing time specified for their receipt and in accordance with the directives in the quotation documents. 3.2 Each quotation shall be addressed in accordance with the directives in the quotation documents and
- shall be lodged in a separate sealed envelope, with the name and address of the bidder, the quotation number and closing date indicated on the envelope. The envelope shall not contain documents relating to any quotation other than that shown on the envelope. If this provision is not compiled with, such quotations/ bids may be rejected as being invalid.

 3.3 All quotations received in sealed envelopes with the relevant quotation numbers on the envelopes are
- kept unopened in safe custody until the closing time of the quotation/ bids. Where, however, a quotation is received open, it shall be sealed. If it is received without a quotation/ bid number on the envelope, it shall be opened, the quotation number ascertained, the envelope sealed and the quotation number. written on the envelope.
- A specific box is provided for the receipt of quotations, and no quotation found in any other box or elsewhere subsequent to the closing date and time of quotation will be considered.
- 3.5 No quotation/bid sent through the post will be considered if it is received after the closing date and time stipulated in the quotation documentation, and proof of posting will not be accepted as proof of delivery.
- 3.6 Quotation documents must not be included in packages containing samples. Such quotations may be rejected as being invalid,

E 4000911

. Specifications Template

Prepared by:

| Initial and Surname | Designation | Signature | Date |
|---------------------|-------------|---------------|------------|
| C. MHLONGO | BUYER | N.C MHLONGO . | 29.03.2021 |
| | , | | |

Reviewed by Supervisor/Operational Manager:

| Initial and Surname | Designation | Signature | Date |
|---------------------|-------------|-----------|------------|
| SR N.C Pillay | PN | Dynors | 29.03.2021 |

| Item dotalis | Specification |
|---------------------------|--|
| Item description | Cytological fixative |
| Size | · 100 ml aerosol can |
| Color | while |
| Material | Ether/alcohol with poly-athylene-glucols |
| Packaging (unit/box) | unit |
| Functionality/performance | Fixes aspirate onto a stide |
| Purpose | Fixes fine needle aspiration onto a slide that is sent microbiology for investigations |
| Other: | |

Approved by specifications committee chairperson:

| Portfolio | Signature | Date |
|-----------|-----------|---------------------|
| | | |
| 1 | 1 | 1 |
| | Portfolio | Portfolio Signature |

DECLARATION OF INTEREST

- 1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to quote (includes a price quotation, advertised competitive quote, limited quote or proposal). In view of possible allegations of favouritism, should the resulting quote, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the quote(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the quote.

| employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority to the quote document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.) 2.8.2.2. If no, furnish reasons for non-submission of such proof. 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9.1. If so, furnish particulars: 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? 2.10.1. If so, furnish particulars: 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this quote? 2.11.1. If so, furnish particulars: 2.12. Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? 2.12.1. If so, furnish particulars: 3. Full details of directors / trustees / members / shareholders. NB: The Department Of Health will validate details of directors / trustees / members / shareholders on CSD. It is the suppliers responsibility to ensure that their details are up-to-date and verified on CSD. If the Department cannot validate the information on CSD the quote will not be considered and passed over as non-complia | 2. In | order to give effect | t to the abo | ove, the folk | owing qu | estionnair | e must b | e co | mpleted a | and submitte | d with the quot | e. | | | |
|--|-----------|---|--------------------------|------------------------------|--------------------------------|-------------------------|---------------|---------|-------------|-----------------|--------------------|-------------|--|----------|-----------------------|
| 2.2. Identity Number: 2.3. Position occupied in the Company (director, trustees 2.5 tax Reference Number: shareholder): 2.6. VAT Registration Number: 2.7. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable employee/ persal numbers must be indicated in paragraph 3 below. APPLICABLE] 2.8. Are you or any person connected with the bidder presently employed by the state? 2.8. It is, furnish the following particulars: Name of person / director / trustee / shareholder/ member: Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority to the quote document? (Note Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote) 2.8.2.2. If no, furnish reasons for non-submission of such proof. 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9. Lif you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.10. If you or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? YES NO 2.11. If you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies | 2.1 | Full name of bidd | er/represer | ntative | | | | | | | | | | | |
| 2.3. Position occupied in the Company (director, trustee 2.5. Tax Reference Number: 2.6. VAT Registration Number: 2.7. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable employee/ persal numbers must be indicated in paragraph 3 below. APPLICABLE] 2.8. Are you or any person connected with the bidder presently employed by the state? 2.8.1 if so, furnish the following particulars: Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority to the quote document? (Notes Failure to submit proof of such authority to the quote document? (Notes Failure to submit proof of such authority where applicable, may result in the disqualification of the quote) 2.8.2.2. If no, furnish particulars: 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES NO 2.9.1. If so, furnish particulars: 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? YES NO 2.10.1. If so, furnish particulars: 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? YES NO 2.10.1. If so, furnish particulars: 3. Full details of directors / trustees / members / shareholders on CSD. It is the suppliers responsibility to ensure that their de | | | | | | | | 2.4. | | | | | | | |
| shareholder): 2.7. The names of all directors / trustees / shareholders / members / members in dividual identity numbers, tax reference numbers and, if applicable employee / persal numbers must be indicated in paragraph 3 below. APPLICABLE] 2.8. Are you or any person connected with the bidder presently employed by the state? 2.8.1. If so, furnish the following particulars: Name of person / director / trustee / shareholder/ member: Name of person of director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority to the quote document? (Noter Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.) 2.8.2.2. If you can be calculated an expensive months? 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9. Li you critically a person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation of this quote? YES NO 2.10.1. If so, furnish particulars. 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) with a person employed by the state and any person employed by the state and verified on CSD. It is the suppliers responsibility to ensure that their details are up-to-date and verified on CSD. It the Department on the year bidding for this contrac | 2.3. | Position occupi | ed in | he Comp | any (d | lirector. | trustee. | 2.5. | Tax Ref | erence Num | ber: | | · · · · · · · · · · · · · · · · · · · | | |
| employee / persal numbers must be indicated in paragraph 3 below. APPLICABLE] 2.8. Are you or any person connected with the bidder presently employed by the state? VES NO 2.8.1.If so, furnish the following particulars: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Position occupied in the state institution and occupied occupied occupied and such proof. Position of the quote. 2.8.2.If no, furnish particulars. 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? Position occupied in the state who may be involved with the evaluation and or adjudication of this quote? Position occupied in the state who may be involved with the evaluation and or adjudication of this quote? Position occupied in the state who may be involved with the evaluation and or adjudication of this quote? Position | 700.00.00 | | A | | , , | | | | | | | | | | |
| 2.8.1. If so, furnish particulars: Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If no, furnish reasons for non-submission of such proof. 2.8.2.2. If no, furnish paraculars. 2.9. Did you or your spouse, or any of the company's directors / frustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9.1. If so, furnish particulars. 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? 2.10.1. If so, furnish particulars. 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this quote? 2.11. If so, furnish particulars. 3. Full details of directors / furstees / members / shareholders on CSD. If the Department cannot validate the | 2.7. | employee / persa | | | | | | | dividual id | dentity numb | ers, tax refere | nce numl | | | licable, |
| 2.8.1. If so, furnish the following particulars: Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2. If yes, did you attach proof of such authority to the quote document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.) 2.8.2.2. If no, furnish reasons for non-submission of such proof: 2.9. Did you or your spouse, or any of the company's directors / frustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9.1. If so, furnish particulars. 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? 2.11. If so, furnish particulars. 2.11. If you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this quote? 2.11. If so, furnish particulars. 3. Full details of directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? 2.12. If so, furnish particulars. 3. Full details of directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? 2.12. If so, furnish particulars. 3. Full details of directors / trustees / members / shareholders on CSD, if the Department cannot validate the information on CSD the quote will not be considered and passed over as non-complian | 2.8. | | erson conne | ected with th | he bidder | presently | employ | ed by | the state | e? | | | Y | EST | NO |
| Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? [YES | | | | | | | | | | | | | | 1 | |
| employed: | | Name of person / | | | | | | | | | | | | | |
| Position occupied in the state institution: Any other particulars: 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority to the quote document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.) 2.8.2.2. If no, furnish reasons for non-submission of such proof. 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9.1. If so, furnish particulars: 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? 2.10.1. If so, furnish particulars: 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this quote? 2.11. If so, furnish particulars: 2.12. Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? 2.12.1. If so, furnish particulars: 3. Full details of directors / trustees / members / shareholders. NB: The Department Of Health will validate details of directors / trustees / members / shareholders on CSD. It is the suppliers responsibility to ensure that their details are up-to-date and verified on CSD. If the Department cannot validate the information on CSD the quote will not be considered and passed over as non-compliant according to National Treasury Instruction Note 4 (a) 2016/17. 4 DECLARATION 1. THE UNDERSIGNED (NAME) | | | | | | | | or | the | person | connected | to | the | bidde | r is |
| 2.8.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employmen in the public sector? 2.8.2.1. If yes, did you attach proof of such authority, where applicable, may result in the disqualification of the quote.) 2.8.2.2. If no, furnish particulars: 2.9. Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.9.1. If so, furnish particulars: 2.10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this quote? 2.10.1. If so, furnish particulars: 2.11. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this quote? 2.11. If so, furnish particulars: 2.12. Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? 2.12. It so, furnish particulars: 3. Full details of directors / trustees / members / shareholders on CSD. It is the suppliers responsibility to ensure that their details are up-to-date and verified on CSD. If the Department cannot validate the information on CSD the quote will not be considered and passed over as non-compliant according to National Treasury Instruction Note 4 (a) 2016/17. 4. DECLARATION 1. THE UNDERSIGNED (NAME). 1. THE UNDERSIGNED (NAME). 1. THE UNDERSIGNED (NAME). 2. THAT THE STATE MAY REJECT THE QUOTE OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE. 2. Accept THAT THE STATE MAY REJECT THE QUOTE OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE. | | | | | | | | 114 135 | 2017/2028 | | | | | | |
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^{**} Shareholder* means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.