

№	Question	Answer
1.	<p>Regarding Q&A_19.12.2018, 7. Please provide the following contracts and annexes:</p> <ul style="list-style-type: none"> - Rental contract № 100-D-248/25.06.2018 - Annex № 100-D-372/06.11.2018 - Annex № 100-DS-266/04.07.2018 - Annex № 100-DS-309/20.08.2018 	<p>The information is available for review in the Virtual Data Room – Appendix 3.116.</p>
2.	<p>According to the public register kept by the Bulgarian Agency for Foods Safety, since 5 September 2018 six new sites for trading in foods have been registered by Sofia Airport EAD, including two sites mentioned in the answers of 19 December 2018. Please provide copies of certificates Nos. 48469 / 28.9.2018, 48471 / 28.9.2018, 48472 / 28.9.2018 and 48473 / 28.9.2018, respectively, further clarification if the information in the public register is not correct.</p>	<p>After 05.09.2018, registration certificates were issued for of a total of 6 commercial sites for food trade at Sofia Airport EAD. Four of them, according to certificates No 48469/28.09.2018, 48471/28.09.2018, 48472/28.09.2018 and 48473/28.09.2018, are existing establishments, but have been re-registered due to a change of legislation, namely: the Bulgarian Food Safety Agency has been transferred from the Ministry of Health to the Ministry of Agriculture, Food and Forestry, and it was therefore required to issue new registration certificates.</p> <p>The information is available for review at the Virtual Data Room – Appendix 12.9.</p>
3.	<p>Pursuant to the latest version of the Draft Concession Agreement, the Concessionaire should deliver prior to or on the Concession Commencement Date all Permits and Consents, specified in Clause 1.8 of Appendix 5 (Conditions Precedent), Part A – Conditions Precedent of the Concessionaire thereto.</p> <p>In relation to this obligation of the Concessionaire, we kindly request the Grantor to confirm whether it will procure, in addition to reasonable assistance, documents and information from the Current Operator (in accordance with Clause 2.5 of the latest version of the Draft Concession Agreement), the cooperation of other public authorities involved in the process of issuance of the Permits, including: the Directorate General “Civil Aviation Administration” (“DG CAA”); and BULATSA (which need to approve, among others, the airport manual and the general features and technical conditions of the airport act to be produced by the Concessionaire).</p>	<p>The Grantor will observe the envisaged commitments in the draft Concession Agreement.</p>

In our view, the cooperation is needed by means of providing initial guidance and approvals in advance as to the content and scope of the documents (required for issuance of the Permits) for avoiding of any risks for delays of the procedures (after they have been launched by the Concessionaire) and due to the following reasons:

- It is our understanding that unlike the permits for prospecting and exploration of underground resources, which enter into force as of the signing of the agreement or any date thereafter (as provided under Article 65 of the Underground Resources Act), the Permits cannot be issued subject to a condition precedent (e.g. the occurrence of the Concession Commencement Date).

- It is also our understanding that on the date of entry into force of five of the Permits (specifically: (i) the Aerodrome Certificate; (ii) the Airport Operator Licence; (iii) the Single Aerodrome Certificate; (iv) the AGL Operational Fitness Certificate; and (v) the AGL Organisation Approval Certificate) to be issued in the name of the Concessionaire, the decisions of the Chief Director of the DG CAA for the termination of the existing permits (which were issued in the name of the Current Operator) should enter into force. This is due to, among others, the fact that the holder of the said Permits should have possession over the Concession Site.

- Therefore, in our view, the Concessionaire, the Current Operator, the Grantor, the Chief Director of the DG CAA and the other public authorities should cooperate with each other in order to procure that (i) the decisions of the Chief Director of the DG CAA on the issuance of the new Permits (in particular five of the Permits, specified above) in the name of the Concessionaire, as well as (ii) his/her decisions on the termination of the existing permits (issued in the name of the Current Operator) enter into force on the Concession Commencement Date.