

HELLENIC REPUBLIC ASSET DEVELOPMENT FUND S.A.

Athens, 12 August 2016

Responses to clarification requests submitted by potential investors regarding the Process Letter for the privatisation of ROSCO S.A.

	Clarification request	Response
Q1	<p>We are considering the possibility to submit the Expression of Interest for Rosco and to use an Affiliate in order to demonstrate fulfilment of the Qualification Criteria (in our case Technical Capacity Criteria).</p> <p>In this case, we would like to know what is the scope of the part of art. 3.5 of the Process Letter: "Affiliate is committed to support financially or technically the Interested Party or the consortium member".</p> <p>In order to art. 3.5, what's kind of documentation required and what's the entity that could make it?</p>	<p>Article 3.5 of the Process Letter provides that an Interested Party will be able to rely on an any entity that falls under the definition of the Affiliate provided in the Process Letter in order to demonstrate fulfillment of the Qualification Criteria, provided that the relevant Interested Party or consortium member provides evidence that such Affiliate is committed to support financially or technically the Interested Party.</p> <p>Same article does not specify the type of legal links that must be established between the Interested Party and such Affiliate nor the type of the documentation required to evidence such links, but it leaves to the involved parties' discretion to choose the type of links and documentation that it deems fit for the purposes of this tender.</p> <p>Therefore, it is not necessary for the Interested Party and the Affiliate to have entered into any formal agreement beforehand, provided however that there exists an express formal unconditional and irrevocable commitment of the latter to support financially or technically the Interested Party or the consortium member.</p> <p>In this respect, a single letter produced by the proposed Affiliate signed by a duly authorized legal representative of it and addressed to the Interested Party whereby it will be stated that the Affiliate commits itself to provide the Interested Party with the necessary technical and/or economic resources, would suffice in this case.</p> <p>In this case, the following documents must be also submitted with the Expression of Interest: (i) a copy or extract of the resolution of the competent body of such Affiliate of the Interested Party providing its commitment to support financially or technically the Interested Party and authorizing a legal representative to execute the appropriate documentation; and (ii) the documents in par. 1.3 (in case of financial support) or 1.4 (in case of technical support) of Sch. 1 (Qualification Documents).</p>