



Response to Questions received by the deadline of the 5th January 2014 as established in section 7 of the Request for Proposals (RFP) for the use of Malta's ITU-allotted satellite slots dated 13 November 2014 (reference MCA/O/14-2015)

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A. Clarifications on the RFP:

Section 2.2 - Terms Governing this Request for Proposals

The MCA would like to confirm that as stated in section 2.2 of the RFP, the concession agreement and licence for the rights of use of radio frequencies associated with the slot will be regulated by the Laws of Malta. The applicable jurisdiction will also be that of Malta.

Section 2.4 - Objectives

A space strategy is planned for development in the coming months and the entity awarded the Concession will be consulted and offered the possibility of providing its views.

Section 2.4 (bullet point 5) - Objectives

The economic benefit of any technologies / knowledge transfer elements of any proposal will be assessed over the duration of the concession.

The term “enhance local capacity” will be interpreted in the widest sense of the word in order to allow full flexibility to proponents.

Section 4.6 - Termination of concession

The conditions contained in section 4.6 of the RFP shall be included in the concession agreement.

Section 4.9 - Disposal of space objects

The MCA will consider the space object/s to have been appropriately disposed of as required by Section 4.9 if they are placed in a graveyard orbit as per the applicable international standards.

Section 5.1 - Assignment process

Proposals to the RFP will be evaluated in line with section 5.1 of the Request for Proposals.

Section 6.1 - Submission of Proposals

The deadline of the 16th February 2015 (14:00hrs. CET) as established in section 6.1 is not being extended.

B. Other Clarifications:

MCA's legal power to offer the concession

The MCA is mandated at law, specifically by the Electronic Communications (Regulation) Act (Chapter 399 of the Laws of Malta) to regulate all types of electronic communications networks, including satellite networks.

In addition, as stated in section 2.1 of the RFP, the MCA is managing the process on behalf of Government.

Negotiations on the concession agreement

The requirements contained in the RFP set the minimum terms and conditions that the proponent/s will be bound by and will be incorporated in the concession agreement. Any further undertakings made by the proponent/s in their proposal will be added to these minimum terms.

Nature of the concession agreement and issuing of the licence

The concession agreement will be a contractual agreement between the MCA and the successful proponent/s.

Tax status in Malta

The RFP does not foresee any preferential treatment with respect to taxation. Prospective bidders are requested to seek independent professional advice on tax treatment in Malta.

Launch of multiple smaller satellites launched on different dates

The RFP does not limit or specify in any manner the type of satellites that may make use of Malta's satellite slots. The MCA will consider any valid proposal that is consistent with the requirements established in the RFP.
