Warszawa, 23.09.2015 r**.**

### STATEMENT No 7

The Commission on public procurement of Institute of Aviation informs, that we have received a questions from Economic Operator to the tender procedure ref. No. 75/DE/Z/15. According to article 38 paragraph 1 of Public Procurement Law of 29 January 2004, the Awarding Entity answers as follows:

**Question 1**

Can we send the tender documents and our proposal with DHL?

**Answer**

Yes, just to have them physically delivered before the term of opening**.**

**Question 2**

We have a doubt concerning the Appendix 4 “contract agreement” is it possible to make deviation on this document?

**Answer**

Yes, as answered for question 3 of statement 3 (website).

**Question 3**

In case of we would be awarded to provide the machine, do you know if we will receive an invitation to negotiate later ?

**Anwer**

No, changes possible only in way explained in answer for question 3 of statement 3 (website).

**Question 4**

We read the law of 6 February 2007 of the Act on Competition and Consumer Protection (Journal of Law of 2007, No.50, item 331, as amended) but have a doubt regarding the definition of Capital Group.

Coriolis Composites Technologies belongs to a group with several entities (so we have met them into the appendix 1c) but we actually don’t think that our group is a capital group in the terms of the law of 6 February 2007 of the Act on Competition and Consumer Protection. Could you may help us and explain the sense of capital group as defined by the law?

**Anwer**

The distinctive feature of a Capital Group is existence of two categories of legal entities: dominating entity (controlling company) and depended entities (controlled companies).

The ‘control’ is supposed to be understood as all forms of obtaining (direct and indirect), by the dominating entity, a legal powers. These legal powers, separately or together, considering all legal and actual circumstances, allow for having deciding influence on other entity or entities – art. 4, p. 4 of The Protection of Competition and Consumers Act. Examples of the dependencies are defined in content of the mentioned Act.