



REQUEST FOR PROPOSALS (RFP) FOR THE INTERNATIONAL REGISTRY FOR MAC EQUIPMENT

Clarifications

Issued on behalf of the Preparatory Commission for the Establishment of the International Registry for MAC Equipment pursuant to the MAC Protocol

21 June 2022

1.	<p>Question: We understand that transactions on the International Registry can take place with users located in countries that are Parties to the Convention who would become Parties to the MAC Protocol (in theory as of today over 80 countries). Users can be VAT-registered businesses and non-VAT registered private persons. There is no requirement for local invoicing. If the above facts are confirmed, what are the underlying assumptions that the only applicable VAT regime to be that of the Registrar?</p>
<p>Answer: Registrations will be related to transactions subjected to the Convention and the MAC Protocol. In particular, where the debtor is located in a Contracting State (of both the Convention and the MAC Protocol). The person who can make a registration is set out by Art. 20 of the Cape Town Convention</p> <p>Generally, VAT will be collected on transactions on the Registry on behalf of the host State. The laws applicable to the collection of VAT will depend upon the State which hosts the Registry. Rules on VAT differ from State to State. Bidders are advised to obtain advice from a tax expert on this matter should they consider it to be useful.</p>	
2.	<p>Question: Is withholding tax applicable in the country of the user borne by the user or deducted from the amount payable?</p>
<p>Answer: Rules on withholding tax differ from State to State. Bidders are advised to obtain advice from a tax expert on this matter should they consider it to be useful.</p>	
3.	<p>Question: Is there any preference regarding the following:</p> <ul style="list-style-type: none">• Data Hosting approach – Cloud V On-Premise• A preferred jurisdiction for Data storage• Any required Hosting Facility Security Certification• Any preferred Technology Stack to be implemented• Any preferred Project management and delivery Methodology to be implemented
<p>Answer: The Preparatory Commission does not have a preferred hosting approach but expects tenderers to propose an approach after considering security, scalability, and costs of either approach. Tenderers should also consider Non-Functional Requirement 4 on page 60 of the RFP in proposing an approach.</p> <p>Paragraph 71 of the RFP provides for a preference for data (including backup) to be held within the territorial jurisdictions of Contracting States to the Cape Town Convention.</p> <p>Broad guidance on security controls and architecture is provided at Non-Functional Requirement 7 on page 61 of the RFP. While no specific security framework has been mandated, it is expected that the framework is globally accepted, and certification obtained to that effect.</p>	

<p>The Commission does not have a preferred Technology Stack but expects tenderers to consider system component interoperability, scalability, security and costs in proposing a solution.</p>	
<p>The Commission does not have a preferred project management and delivery methodology.</p>	
4.	<p>Question: Would the Preparatory Commission be willing to consider extending the length of the initial period for the appointment of the Registrar? An initial period of longer than 5 years would provide the benefit of spreading out the start-up and implementation costs over a longer amortisation period.</p> <p>Would an initial period of 10 years, followed by reappointment periods of 5 years, be of interest?</p>
<p>Answer: Article XIV(5) of the MAC Protocol provides: The first Registrar of the International Registry shall be appointed for a period of five years from the date of entry into force of this Protocol. Thereafter, the Registrar shall be appointed or reappointed at regular five-yearly intervals by the Supervisory Authority.</p> <p>As this is a treaty provision, there is no flexibility for the Preparatory Commission to vary the initial period of the appointment of the Registrar.</p>	
5.	<p>Question: The RFP mentions that the Registrar will be in a unique position to assist in the promotion of the MAC Protocol and the Registry. The cost provisions provide for expenditure of €35,000 per year towards promotion activities. Considering that the Registrar will be appointed for a five-year period, please advise if the total cost of these activities will constitute €175,000.</p>
<p>Answer: Yes, the expectation is that the Registrar will contribute €35,000 per year for the promotion and marketing of the MAC Protocol to ensure that the treaty will continue to attract ratifications and thereby increase the total number of registrations in the Registry. The total cost of these activities would be €175,000 over five years, with the costs accruing on an annual basis (€35,000 each year).</p>	
6.	<p>Question: We kindly ask the client to elaborate on the hosting requirements for the International Registry.</p>
<p>Answer: Tenderers are invited to propose their own solutions on how they wish to host the International Registry. The Commission cannot provide guidance or preferences with regard to the different solutions tenderers may propose. Tenderers are invited to justify their solutions as they see fit.</p>	
7.	<p>Question: On page 23, the RFP mentions that each request to participate must include a comprehensive schedule of estimated costs in Euro. Please advise if these costs can be provided in dollars instead.</p>
<p>Answer: As noted in footnote 10 of the RFP, should a tenderer prefer to submit its cost proposal in another currency, a conversion to Euro, on the date which the proposal is submitted, should be included.</p>	
8.	<p>Question: Paragraph 118 of the RFP mentions that the Supervisory Authority may require the legal and beneficial owners of the Registrar to provide guarantees of the performance by the Registrar of its obligations. Please confirm if the Supervisory Authority intends to request a performance guarantee, and if so, under what conditions.</p>
<p>Answer: Whether performance guarantees are required and their scope will be determined by negotiation between the Registrar and the Supervisory Authority and set out in the contract between the respective parties. As the Supervisory Authority has not yet been appointed, it is not possible to confirm exactly what performance guarantees might be requested.</p>	

The performance guarantees clause is a non-mandatory clause in the contract to be concluded between the Registrar and the Supervisory Authority. It may be subject to negotiations between the parties.	
9.	Question: We kindly ask the client to confirm if the test phase is a mandatory phase of the assignment, since on page 27 it is described as being non-mandatory, yet it appears as a significant deliverable/benchmark on page 36. Similarly, please advise if the provision of the System Design Documentation is mandatory, considering that it is being described as non-mandatory on page 28, yet it also appears as a significant deliverable/benchmark.
Answer: A test phase is a mandatory deliverable as part of designing and subsequently operating the Registrar. It is listed as a non-mandatory clause in the contract between the Registrar and the Supervisory Authority because the final timeline for operationalising the Registry will depend upon the speed of entry-into-force of the MAC Protocol. This will be deliberated between the Registrar and the Supervisory Authority.	
10.	Question: Paragraph 121 of the RFP mentions that the contract may also require that expenditures by the Registrar above threshold limits only be incurred following approval by the Supervisory Authority. We kindly ask you to provide us and estimate of these limits.
Answer: The threshold limits referred to in paragraph 121 of the RFP will be agreed in the contract between the SA and the Registrar with a view that costs of the Registrar which are below these limits can be expected to be amortised over the 5-year period of the initial contract. No estimates for these threshold limits can therefore be provided at this point.	
11.	Question: We kindly ask the client to provide the minimum financial requirements necessary to be considered eligible for the assignment (The Balance Sheet Items and Income Statement Items for Form 2).
Answer: The Preparatory Commission cannot provide any specific guidance on this matter. The financial due diligence will be dependent on adequate and reasonable costs and whether these can be consumed by the prospective registrar for a reasonable period until such time as the registry is self-sustaining.	
12.	Question: Paragraph 67 of the RFP mentions that the successful tenderer will be required to produce, prior to the signature of the contract with the Supervisory Authority, a technical validation certificate from an entity independent of the Registrar (as approved by the Supervisory Authority) that confirms the validity and operability of the IT structure. Could you please clarify what you mean by the IT structure here, is it the Tenderer's company or the Registry itself? Also, please advise if the cost of this validation should be included in the financial proposal.
Answer: The IT structure referenced in Paragraph 67 of the RFP relates to the Registry. A technical validation certificate that confirms the validity and operability of the Registry is required from an entity independent of the Registrar (as approved by the Supervisory Authority).	
The costs related to such a certification should be factored into the financial proposal. These would be part of Costing Table B: Build, integrate, test and implement.	
13.	Question: Paragraph 63 of the RFP mentions that the cost of software upgrades and enhancements would be funded on the same basis as other costs of the International Registry: that is, the costs would be taken into account in setting the fees for the International Registry so as to enable the costs of establishing and operating the International Registry to be recovered from International Registry revenues over the course of the contract. Please advise if this implies that the Registrar is expected to invest its own funds during the implementation phase of the system and will start getting paid after the successful launch of the system based on the revenues received from the collected fees.
Answer: This is correct. The Registrar is expected to invest its own funds for the design and build of the Registry, and continue to invest in the Registry during its operational period for the duration	

	of the contract. The Registrar will be able to recover its costs only after the successful launch of the system once it starts to collect fees.
14.	Question: Would the secure payment system be handled in multiple currencies or limited to main currencies (EUR, USD).
	Answer: Bidders are expected to propose their own solutions to this matter. There is no requirement to allow payments in multiple currencies, but in order to minimise payment transactions costs, tenderers are invited to submit a payment system that would minimise such costs, which would also include currency conversion fees for users of the Registry. In designing the payment system, the bidders should consider the type of users which will transact on the MAC Registry. It should also be ensured that the Registry is operable in a currency which is widely used in the MAC industries.
15.	Question: If included in the proposal, would you consider into your evaluation a financial model with the relationship between costs and fees?
	Answer: All details with regard to the evaluation of the financial proposal are found in Paragraph 162-164. The Preparatory Commission will use the same methodology for all bids received. All bidders are encouraged to conduct their own research into the relationship between costs and fees and provide for the feasibility of their proposed Registry accordingly.
16.	Question: It is mentioned in the list of deliverables that the System Design Document needs to specify the hardware requirements and that the costs need to include hardware assembly and hardware replacement. Could you please clarify who would be responsible for the purchase of hardware? We assume cloud-based hosting service will be allowed, but the RFP also mentions off site storage.
	Answer: The successful bidder will be responsible for all the costs related to the hardware and software required to build the and launch the Registry. No costs will be borne by the Supervisory Authority or any other entity in this regard. Bidders are invited to propose whatever solutions with regard to hosting and storage they think are most suitable. For the indications in Paragraph 71 of the RFP with regard to the location of the storage systems, cloud-based services would be acceptable. Bidders are invited to share details of whatever tools they intend to deploy in this regard accordingly.
17.	Question: If the tenderer needs to purchase the hardware, we kindly ask the client to provide hardware requirements and preferences.
	Answer: All bidders are requested to propose their own hardware and software solutions based on the RFP. The Preparatory Commission cannot provide any specific guidance with regard to hardware.
18.	Question: In paragraph 106 it is stated that the costs of wages and benefits, insurance, taxes, furniture, permit renewals, legal costs, etc. are required for evaluation and comparison of the financial offers. Considering that these costs vary between countries (costs are not same in the United States and in some other country), could you please clarify how the financial offers will be evaluated.
	Answer: The Preparatory Commission recognises the differences between countries in terms overhead costs of a Registry. The bidders are invited to submit bids based on the costs expected wherever they intend to host the MAC Registry. All details with regard to the evaluation of the financial proposal are found in Paragraph 162-164. The Preparatory Commission will use the same methodology for all bids received.
19.	Question: In Part 1 (Introduction), the following is stated: "[...] Some direct human intervention may be required in relation to the process of verifying the identity of applicants wishing to become registered users of the International Registry. Registrations and searches will otherwise be conducted automatically without any real-time human intervention on the part of the Registrar."

	<p>When you explain "Registrations and searches will otherwise be conducted automatically without any real-time human intervention on the part of the Registrar" does it mean that no review of the information is necessary or that the review will be done automatically? This information does not have to be verified in any case? Under what premises could you give the option that this information does not have to be verified?</p>
<p>Answer: Yes, registrations and searches should be able to be made without human review or verification.</p> <p>Section 4.1(b) of the draft Registry Regulations provides that: A person who wants to establish an account:</p> <ol style="list-style-type: none"> 1. must apply to the Registrar in accordance with the Procedures; and 2. must provide the Registrar with such information as the Registrar requires to demonstrate the existence of the person and the authority of the individual who is making the application on the person's behalf. <p>Under this provision, the Registrar may wish to establish certain identity and authority requirements for persons wishing to become registered users, which the Registry may wish to authenticate via human intervention, in order to prevent unauthorised access to the Registry and fraud.</p> <p>Section 4.1 can be contrasted with the registration and search rules in Sections 5 and 8 of the draft Regulations, which specifically provide the information required to effect registration or searches, without reference to the need for "such information as the Registrar requires". Registrations and searches must be able to be made without direct human intervention. The Registry must be able to verify that information has been provided in relation to each mandatory registration or search criterion, but is not under an obligation to ensure or verify that the information provided is correct. The Registrar may wish to establish certain fields that make it more likely that correct information is inserted (for example, under Section 5.1(c), provide a field for the object's ISO-compliant number that only accepts the correct number of digits for an ISO-compliant number). However, the Registrar would not be required to verify whether the ISO-compliant number inserted in relation to a particular object is correct).</p> <p>The information does not need to be verified. Any registrant or searcher will make the registration (or other action) and conduct the search automatically, without the need of human review by the Registrar. To effect a registration (or conduct any other action), the information required in each case by the Regulations shall be consulted. Furthermore, under Par. 53 RFP: The Registrar will not confirm the accuracy of information provided by registered users, and will not confirm the existence or validity of documents underlying a registration</p>	
20.	<p>Question: Part 1 (Introduction) explains that the Supervisory Authority will partner with the Registrar to enhance the use of the international registry and thus the revenues of the initiative.</p> <p>The FRR (paragraph 26) specifies that the amount to be invested by the Registrar for this purpose will be €35,000 per year. Is any investment by the Supervisory Authority envisaged and is there any planning of activities to be carried out for this promotion with this budget?</p>
<p>Answer: Promotion of the MAC Protocol to potential Contracting States is essential to the success of the treaty and the long-term viability of the Registry, as increasing the number of Contracting States increases the number of registrations and searches in the Registry. Promotion of the MAC Protocol will be undertaken as a collective initiative between the Supervisory Authority, the Registry, the Depositary and the private sector. The Supervisory Authority and the Depositary will be expected to invest personnel resources in these activities. Promotional activities will include but</p>	

<p>are not limited to (i) technical assistance to prospective Contracting States to assist them in ratifying the Protocol, (ii) the preparation and publication of promotional materials and (iii) the delivery of promotional events. As the Supervisory Authority's functions are fully cost-recoverable from Registry fees, any investment made by the Supervisory Authority, personnel or otherwise, will be recoverable from registry fees.</p>	
21.	<p>Question: One of the technical requirements indicated in the RFP is the following: "The International Registry must provide the capacity for multiple registrations and searches to occur simultaneously".</p> <p>Should the Registry operate under the principle of priority in registration operations?</p>
<p>Answer: The Registry shall establish the order based on the chronology in which registrations in a specific asset are made, including specific date and time of receipt of such registrations. The order in which the registrations are received will impact their priority, as determined under the Cape Town Convention and its MAC Protocol.</p>	
22.	<p>Question: One of the technical requirements indicated in the RFP is the following: "[...] The website of the International Registry must have a responsive design capable of supporting various screen resolutions and devices. [...]".</p>
<p>Answer: While mobile compatibility is necessary, the development of a mobile application is optional. This can be found in Paragraph 81 of the RFP. Mobile compatibility relates to the ability to access and use the Registry and all its functions through a mobile phone browser.</p>	
23.	<p>Question: One of the technical requirements indicated in the RFP is the following: "[...] The website shall also be compatible with the most popular internet browsers such as Google Chrome, Microsoft Edge, Internet Explorer 11, Mozilla Firefox, Opera, or Safari in order to be accessible to the widest number of users".</p> <p>We believe that it should be borne in mind that support for Internet Explorer 11 is a browser at the end of its life cycle and will not be continued by the manufacturer, and that the need for its compatibility may imply security problems.</p> <p>https://blogs.windows.com/windowsexperience/2021/05/19/the-future-of-internet-explorer-on-windows-10-is-in-microsoft-edge/</p>
<p>Answer: It is anticipated that the MAC Registry will be used in all parts of the world. The list of browsers mentioned in Paragraph 32 is indicative and designed to ensure that the Registry can be accessed by as many people as possible. A bidder may decide not to facilitate compatibility with a particular browser, as long as this is specified accordingly and it remains ensured that the website remains accessible to the widest number of users.</p>	
24.	<p>Question: Related to the previous section (C.05):</p> <p>No mention of the need to support mobile environments - do mobile applications need to be enabled for access to the Registry? Limited to queries or also allow registrations? Notifications?</p>
<p>Answer: While mobile compatibility is necessary, the development of a mobile application is optional. This can be found in Paragraph 81 of the RFP. Mobile compatibility relates to the ability to access and use the Registry and all its functions (including searching, registering, notifications, and all other features) through a mobile phone browser.</p>	
25.	<p>Question: One of the technical requirements indicated in the RFP is the following: "The International Registry will be compatible with Application Programme Interfaces (APIs) in order to allow certain third parties to develop their own tools to facilitate access for users. [...]".</p> <p>Should the defined API cover all available functionalities?</p>
<p>Answer: The solution architecture, once developed, will assist in clarifying the API gateway required to interact with the different components of the solution. The ability of third-party providers or high-volume users to be able to register, amend, assign, subrogate or discharge</p>	

security interests, and conduct searches is expected, along with the ability to pay for the transactions.	
26.	<p>Question: One of the technical requirements indicated in the RFP is as follows: "[...] The extent to which third parties will be allowed to access the International Registry in this manner will be agreed upon by the Registrar with the Supervisory Authority."</p> <p>Can the granularity of API access and third party permissions for the endpoint be defined at the endpoint/action level?</p>
<p>Answer: The Commission does not have any firm views on technology solutions. The tenderer's solution architecture should consider the merits, or otherwise, of access/permissions being determined at an API gateway level or multiple endpoints at the backend.</p>	
27.	<p>Question: One of the technical requirements indicated in the RFP is as follows: "The International Registry will be compatible with Application Programme Interfaces (APIs) in order to allow certain third parties to develop their own tools to facilitate access for users. [...]"</p> <p>Should the API allow full access to the Registry's functions (query, registration, notifications, search, etc.)?</p>
<p>Answer: The solution architecture, once developed, will assist in clarifying the API gateway required to interact with the different components of the solution. The ability of third-party providers or high-volume users to be able to register, amend, assign, subrogate or discharge security interests, and conduct searches is expected, along with the ability to pay for the transactions.</p>	
28.	<p>Question: One of the technical requirements indicated in the RFP is the following: "The Registrar must provide a mechanism to verify users requesting to access the Registry, as well as users requesting to transact on behalf of others, based on processes specified by the Regulations."</p> <p>Is it possible to connect to Contract States' own Identity Providers that already identify natural persons?</p>
<p>Answer: It will be possible for the Registrar to make use of existing Identity Providers to verify the users, but it is to be noted that the verification responsibility of the Registrar also extends to users from States that do not have existing systems of Identity Providers.</p> <p>The following aspects should be taken into account. First, it is not only necessary to identify natural persons (acting as agents, representatives or material signors acting on behalf of transacting users and professional users), but also, and above all, legal entities. Then, the systems used to verify users should allow legal persons' signatures and identity. Second, the registrar needs to be prepared to verify users from any country, and not just Contracting States. Third, the Regulations may provide for specific requirements for these verification processes.</p>	
29.	<p>Question: Related to the previous question (C.10):</p> <p>Should the acceptance of local IDs for natural persons (ID cards, ID cards, passports, driving licences, etc.) be envisaged for contracting states?</p>
<p>Answer: Yes, while international forms of ID would be preferred (such as passports), local IDs should also be acceptable under most circumstances. Please note that if a natural person acts on behalf of a legal entity, the legal entity should authorise a verified registered user to make registration transactions on behalf of the legal entity (see next question).</p>	
30.	<p>Question: One of the technical requirements indicated in the RFP is the following: "A person or entity will not have access to the International Registry in order to effect registrations (or participate in a registration transaction, such as by consenting to the registration) unless they have first been authorised by the Registrar as a registered user".</p>

	It is understood that transactions will always and in any case be carried out by a natural person on behalf of a legal entity.
Answer: Yes, only registered persons will be able to effect registrations or participate in registration transactions. This requires legal entities to authorise a verified registered user to make registration transactions on behalf of this entity.	
31.	<p>Question: In the technical requirements section, it is specified that the International Registry may be accessed through an entry point through which there shall or may be transmitted to the International Registry information required for registration, which may at any time be established by a Contracting State in its territory. The reference text is as follows: "[...] an entry point through which there shall or may be transmitted to the International Registry information required for registration, which may at any time be established by a Contracting State in its territory; [...]".</p> <p>Can this transmission of information be done through API access?</p>
Answer: Yes, as long as the API access provides for the satisfaction of the registration criteria set out in Section 5 of the draft Regulations.	
32.	<p>Question: In the technical requirements section, it is specified that access to the International Registry will be granted by: "[...] all other persons, to the extent that the Regulations provide for access to the International Registry without the need to become a registered user (some information on the International Registry may be accessible and searchable by users who are not registered users)."</p> <p>Where is the type of information accessible without registration defined? Do I have to be registered to apply for certification?</p>
Answer: Information to be found in the Regulations. To the extent that the Regulations provide for access to the International Registry without the need to become a registered user, some information on the International Registry may be accessible and searchable by users who are not registered users.	
33.	<p>Question: One of the technical requirements indicated in the RFP are the following: "minimise the risks of unauthorised registrations, as indicated in the Regulations; and preventing registrations which do not contain the information required to effect a registration, as indicated in the Regulations."</p> <p>While the necessary information is extensively detailed in section 5 of the Regulations, the risks of unauthorised searches in that section do not appear. Given the detail in section 5 of the Regulations, the coverage of the second point is clear. With regard to point 1, are there other risks of unauthorised registrations beyond allowing only authorised users on the platform?</p>
Answer: No. That is the extent of the risk. If authorised users file wrongful registrations, this is not a matter for the registry to check/verify.	
34.	<p>Question: One of the technical requirements stated in the RFP refers to the fact that the International Registry registration process should be designed to allow a minimum of information to be included for interests to be registered and searched, as registrations will be indexed in the International Registry against a MAC equipment identifier.: "The International Registry registration process will need to be designed to enable a minimum of information to be entered in order for interests to be registered and searched for, as registrations will be indexed in the International Registry in relation to an identifier of MAC equipment, rather than the identity of the parties or other criteria."</p> <p>Does this indication of indexing imply that search processes will not be able to search by the identity of participants or other criteria?</p>

Answer: The search function that is open to users of the Registry does allow only searches using the manufacturer's serial number of the MAC equipment, as provided for in Art. XVIII(1) of the MAC Protocol. Searches can be made in a more granular manner, including by the name of the parties, within the search results following a search which follows the provisions of Art XVIII(1) if such a search should retrieve several results.

35. Question: One of the technical requirements stated in the RFP refers to the following: "The International Registry registration process will need to be designed to enable a minimum of information to be entered in order for interests to be registered and searched for, as registrations will be indexed in the International Registry in relation to an identifier of MAC equipment, rather than the identity of the parties or other criteria."

Where can information on MAC identifiers be obtained, is it regulated, and can one define one's own LEI type?

Answer: No. A Registrar may not identify its own LEI type. Section 5.1(c) of the draft Regulations provide the information required to identify a MAC object for the purposes of registration:

- (i) (A) the object's ISO-compliant number, if it has one; or
 - (B) if the object does not have an ISO-compliant number, the alphanumeric serial number that is assigned to the object by the manufacturer; and
- (ii) If the object does not have an ISO-compliant number as referred to in subparagraph (i)(A), all of the following:
 - a. the brand name for the equipment or, if unavailable, the name of the manufacturer;
 - b. the manufacturer's generic model designation; and
 - c. one other item of descriptive information about the equipment, if so required by the Procedures;

As set out in Section 5(1)(c), the primary identifier of MAC objects will be its ISO-compliant number. If it does not have an ISO-compliant number, the identifier will be the object's serial number, manufacturer generic model designation and any further descriptive information that might be required in the Procedures.

36. Question: One of the technical requirements indicated in the RFP refers to the registration of different interests.: "[...] In the case of an international interest or a prospective international interest, the consent of the named parties, given under an authorisation;"

Is the consent indicated here verified by electronic signature of the named party?

Answer: This will be clarified in the final draft of the Regulations which will be developed in coordination with the Registrar. The Registry should, in any case, have mechanisms available to obtain electronic signatures.

Presently, giving consent does not require qualified electronic signature and can be implemented by simple mechanism such as clicking on a link to provide consent, ticking a box or similar simple ways.

37. Question: One of the technical requirements indicated in the RFP refers to the registration of different interests.: "The electronic addresses of the persons to which the International Registry is required to send information notices pursuant to Section 6 of the Regulations."

It is understood that the notifications will not be reliable and do not require acknowledgement of receipt by the interested party.

Answer: Yes, where the Registry merely needs to notify an interested party of a registration, there is no need for the Registrar to require acknowledgement from interested parties regarding their receipt of the notification. However, where the consent of a party to a transaction is required, Section 7 of the draft Regulations applies.

<p>Section 6 of the Regulations states that: 'The receipt or non-receipt of such confirmation does not imply that the registration has or has not been effected, that fact being determinable solely by means of a priority search'. This sentence leads to assume that notices are purely informative and do not have effects on the effectiveness of the registration. Consequently, it can be inferred that reliability and acknowledgement of receipt are not essential.</p>	
38.	<p>Question: The International Registry will be central to one of the most important aspects of the Convention: establishing the order of priority for international interests in MAC objects. One of the technical requirements listed in reference is: This "first-in-time" priority rule refers to the time when an interest first becomes searchable in the International Registry. Moreover, the International Registry will have users located in all parts of the world."</p> <p>Is the time priority set by the time reference of the country where the service is provided?</p>
<p>Answer: Precise timing information must be recorded and must be contained in all registrations and searches. All time references shall be of the country where the Registrar is based and operated from.</p>	
39.	<p>Question: In relation to the previous paragraph (C.21):</p> <p>Custodial or depository Registry, but no associated legal rating?</p>
<p>Answer: The Registry will provide notice that the interest has been registered, but the documents on which the interest is based will not be required to be submitted as part of the registration process, and will not be available from the International Registry to those conducting searches. The Registry is neither custodial nor a depository of documents and no legal material checking of the information is carried out.</p>	
40.	<p>Question: One of the general requirements indicated in the RFP refers to access points designated by Contracting States. In Regulations 13, it is established that "after consultations with each designated entry point, shall specify the procedures applicable to that entry point."</p> <p>Can this procedure be the same for all entry points, and is it a mechanism based on an API/Web Interface? Could it be the case that it is not by electronic means?</p>
<p>Answer: The design of the procedures for the transmission between the Registry and the individual entry points will only be set after consultations between the Registry and the entry point concerned. The outcome of these consultations can be different for the individual entry points. It is envisaged, however, that the transmission of information will always be by electronic means.</p>	
41.	<p>Question: One of the general requirements indicated in the RFP refers to access points designated by Contracting States.. En Regulations 13, it is established that "after consultations with each designated entry point, shall specify the procedures applicable to that entry point."</p> <p>Can designations be cancelled, only for registration, and to what extent would we have the capacity and power to cancel an entry point for security reasons?</p>
<p>Answer: The Registry does not have the power to unilaterally cancel a Contracting State's entry point, but it does have the power to refuse to accept registrations through the entry point if they do not comply with the Convention, the Protocol, the Regulations and the Procedures.</p> <p>A Contracting State may designate an entry point when they ratify the MAC Protocol, however the Registry is only required to accept registrations through that entry point where such registrations comply with the requirements set out in Section 13 of the draft Regulations. If a registration transmitted through an entry point does not satisfy the requirements in Section 13 for any reason (for example, where the registration criteria are not satisfied, where the named parties are not</p>	

approved transacting user entities, the transmission of the registration will adversely affect the functioning of the International Registry system or impose a burden on the Registry's resources), the registration shall not be transmitted through the entry point.	
42.	<p>Question: "One of the general requirements indicated in the RFP refers to the access points designated by the Contracting States: "The Supervisory Authority shall keep the Registrar informed of such designations, and the Registrar shall maintain a current list thereof that is electronically accessible to users."</p> <p>The International Registry will be a ""notification-based"" system, i.e. it will notify that an interest has been registered in relation to a specific MAC asset. Will this be for all registered users, or anonymous users and therefore public access?"</p>
<p>Answer: It is presumed that this question is requesting a clarification on who is able to search the Registry, and/or who is notified when a registration is made against a specific asset. A search, other than a self-search pursuant to Section 8.7 of the Regulations, may be performed by any person who complies with the Procedures, whether or not that searching person has a specific interest. Regarding who receives notifications when an interest is registered against a specific asset, this shall be defined by the Regulations.</p>	
43.	<p>Question: "One of the general requirements indicated in the RFP refers to the fact that the International Registry will be obliged to provide services in other languages and will accept registration information in any language the user wishes to provide, including the use of diacritical marks. Specifically "(c) The International Registry will accept registration information in any language which the user may wish to provide, including the use of diacritical marks".</p> <p>Do the input languages refer only to those in which the Registry is localised, or must they be any language from the outset?"</p>
<p>Answer: The International Registry will be required to operate as from its entry into operation in English. Additionally, the International Registry will be required to provide services in other languages. Specifically, the Registry shall be prepared to accept registrations in any language, including in languages other than the language of the country where the Registry is based. The Registry must have the capacity to receive user input in any language, and then should be able to record and display this input accordingly.</p>	
44.	<p>Question: "In relation to the previous paragraph (C.26), reference is made to the following: "The International Registry will be required to provide helpdesk related services, as well as its front-end interface in Arabic, Chinese, English, French, Russian and Spanish from its entry into operation. The fields requesting information from users should also be available in the aforementioned languages."</p> <p>Would it be necessary to delimit ""helpdesk related services""?"</p>
<p>Answer: Helpdesk-related services refers to providing technical support information and services to users who are trying to understand how to use the Registry.</p>	
45.	<p>Question: "One of the general requirements indicated in the RFP refers to the adaptability of the registry: "The International Registry must be designed so as to be scalable: that is, so that it is able to be modified (for example, to take account of changes to the Regulations, or to take account of increases in capacity) without the necessity of significant redesign of the software and hardware systems".</p> <p>While the increase in capacity can be managed without redesigning the hardware systems involved (the architecture) by increasing their dimensioning, changes related to Regulation can have a major impact on the process. o Is it necessary to consider this adaptive process to the Regulation in all its areas (staffing, timing, costs, etc.)?"</p>
<p>Answer: All changes to the Regulations will be extensively discussed in advance and conducted in coordination between the Supervisory Authority and Registrar, with the support of International Registry Advisory Board (or equivalent) and the Commission of Experts of the Supervisory Authority of the International Registry (or equivalent). The Regulations would not be amended in</p>	

a way that would unreasonably burden the Registry in terms of staffing, timing, costs to the extent that it would create risks to the operation of the Registry.	
46.	<p>Question: "One of the general requirements indicated in the RFP refers to software updates and upgrades: "Other software upgrades and enhancements to the services offered by the International Registry would require the prior approval of the Supervisory Authority".</p> <p>The software used in the operation of the International Registry will be upgraded periodically, in relation to bugs and security fixes. Other software updates and enhancements to the services offered by the International Registry will require the prior approval of the Supervisory Authority. Can enhancements requiring approval relate to adaptations to cover changes in the Regulation?"</p>
Answer: Yes, please see reply to previous question.	
47.	<p>Question: "One of the general requirements stated in the RFP refers to the availability of the International Registry.: "The International Registry will be required to be available 99% per year. One reason for this is to ensure the availability of the International Registry for users in all locations and time zones. The 1% of non-availability contemplates maintenance, power outages, hardware problems, etc."</p> <p>SLAs are normally measured on a monthly basis, please clarify if this SLA is a minimum value."</p>
Answer: The 1% non-availability is a maximum value. It is to be measured on an annual basis.	
48.	<p>Question: "One of the general requirements stated in the RFP refers to the integrity of the system.: ""The successful tenderer will be required to produce, prior to the signature of the contract with the Supervisory Authority, a technical validation certificate from an entity independent of the Registrar (as approved by the Supervisory Authority) that confirms the validity and operability of the IT structure.""</p> <p>""prior to the signature of the contract "", does this imply that: must it be provided when submitting the proposal? ? at any of the selection stages? or just before the signature of the contract?"</p>
Answer: As it is the successful tenderer who will be required to submit such a validation certificate, the provision will be requested prior to the signature and after being selected.	
49.	<p>Question: "One of the general requirements indicated in the RFP refers to contingency and data recovery plans: ""a tracking capability to capture full historical record of information and to allow point-in-time reporting of all data manipulation activities performed by each user, including date and time stamps, user identification, Internet Protocol (IP) addresses and dynamic Internet addresses on every record"".</p> <p>What does ""dynamic internet addresses"" refer to? We would need to clarify this technical concept."</p>
Answer: A dynamic Internet Protocol address (dynamic IP address) is a temporary IP address that is assigned to a computing device or node when it's connected to a network. A dynamic IP address is an automatically configured IP address assigned by a DHCP server to every new network node.	
50.	<p>Question: "One of the general requirements indicated in the RFP refers to contingency and data recovery plans.: ""the capability for the Registrar to amend Registry records, in accordance with the Regulations, for example in order to comply with a court order pursuant to Article 44(3) of the Convention (...)"</p> <p>What does "Court order pursuant" refer to? We would need to clarify this technical concept."</p>
Answer: Article 44 (3) of the Cape Town Convention refers to a binding decision of a Court against a person (typically a person registered as secured creditor in a specific registration) to procure the	

amendment or discharge of that registration. This decision of a competent Court will be rendered in proceedings between that person and a party seeking the amendment or discharge. If that person does not comply with the order, the Courts in the place where the Registrar has its centre of administration can then make an order against the Registrar, directing the Registrar to give effect to the original order for the amendment or discharge of the registration.

51. Question: "One of the technical requirements indicated in the RFP refers to the review process of the data entered by registered users: ""The International Registry must provide an opportunity for registered users who are inputting data to view a summary of the information and review it for accuracy prior to that information being recorded by the International Registry and saved to the data base"". Is it considered that this summary should be saved (not yet available for searching) for review of its accuracy indefinitely? Does this summary need to be accessible to other users participating in the summary? Could the originating user invite other users only to view information? Can these summaries be deleted if the originating user is not satisfied?"

Answer: The summary should be just available for review and it will be deleted once the registration has been completed. The summary should be able to be deleted or modified if the originating user wishes so.

The International Registry must ensure that data that has been entered by a registered user cannot subsequently be altered once that data has become searchable. Consideration should be given to the possibility of implementing a Closing Room™ functionality (5.17 Regulations). This functionality permits registry users to assemble the information required to effect a registration in advance of completing such registration and, in the case of multiple registrations in respect of one or more aircraft objects, to establish the chronological order of such registrations. In such a case, the summary (in the closing room) may be available to other participating users and the originating user can invite others to view the information.

52. Question: "In relation to the previous paragraph C.34, on page 77, paragraph 5.17, it is indicated: ""The International Registry may provide a closing room facility ("closing room") permitting accountholders to assemble the information required to effect a registration in advance of completing such registration and, in the case of multiple registrations in respect of one or more objects, to establish the chronological order of such registrations. The Appendix to these Regulations describes the closing room". We would need to clarify what are the functionalities of this ""Closing Room"" and the specific document where its description is detailed since the RFP does not include this reference ""Appendix""."

Answer: A detailed description of the Closing Room™ feature, as it operates in the International Registry for Aircraft Objects, is found in the [Practitioner's Guide to the Cape Town Convention](#): The Closing Room™ is a sophisticated feature, made available on the International Registry in May 2015, which is well described in an Appendix to the Cape Town Regulations. Essentially, it permits a Coordinating Entity to preposition registration data for multiple registrations and for multiple objects. The Coordinating Entity can enter registration data as it becomes available and the Closing Room™ folder serves as a repository for all data and consents provided. Prior to going live the registration data are referred to as pre-registrations. They have no legal standing as registrations and the Cape Town Regulations are very clear on that matter. The Closing Room™ folder can be adjusted over time. Once the Coordinating Entity is satisfied with the pre-registration data, the Closing Room™ folder is "locked" i.e. pre-registration data can no longer be altered. Once locked, the pre-registrations are available for review and consent by TUEs named in the Closing Room™ folder or one or more PUEs authorised by those TUEs either by logging into the Closing Room™ folder or through review of a Pre-Registration Report. Each Closing Room™ folder is assigned an ID number so that it can be easily located by parties to a specific transaction. AEP codes, if

required, may be entered at this stage, or during initial population of the Closing Room™ folder. The final step to bring these pre-registrations live is to pay the registration fee and then release the preregistrations. The benefits of this approach are that it (i) allows coordination, flexibility and changes while a transaction is being negotiated and (ii) allows the pre-registrations to be lined up in advance and brought live with one click when appropriate.

This functionality may need to be tailored to the needs of the MAC International Registry.

53. Question: "One of the technical requirements indicated in the RFP refers to the ""Environment - Workstation"". More concretely, the following is stated: ""Optionally, the Registrar shall also develop a mobile application interface to access the information on the International Registry"". Does the development of this ""mobile application interface"" have to be done for all platforms, and is there a minimum number of versions of each platform to be covered?"

Answer: Should the Registrar decide to develop a mobile application, this application should provide for all the features the web-based registry provides.

54. Question: "In relation to C.36. above: What does ""Data encryption"" refer to? We would need to clarify this technical concept."

Answer: Standard forms of data encryption such as Hypertext Transfer Protocol Secure (HTTPS) or any other solution which the bidder would propose in this regard would be acceptable.

55. Question: "One of the technical requirements indicated in the RFP refers to the ""Environment - Workstation"". More concretely, the following is stated: ""The encryption and user verification systems must permit the registered users to access the International Registry using a hardware-specific digital certificate issued by the International Registry which creates a secure channel to the International Registry"". Would it be possible to supplement compliance with the provision of centralised qualified electronic certificates?"

Answer: The Commission is open to tenderers to come up with appropriate user verification models. A hardware specific digital certificate issued to authenticated users may be one of them.

56. Question: "In relation to C.38. above: What do you mean by hardware-specific digital certificate, centralised signature with OTP?"

Answer: The Commission is open to tenderers to come up with appropriate user verification models. A hardware specific digital certificate issued to authenticated users may be one of them.

57. Question: "One of the technical requirements indicated in the RFP refers to the security requirements of the system: ""[...]to facilitate users and encourage the use of strong passwords, any password based mechanism on the system shall have integration with password management tools.[...]"". Web browsers and mobile devices already have directly integrated password management tools. Does this request for integration refer to any password manager on the market?"

Answer: No. Just compatibility

58. Question: "One of the technical requirements indicated in the RFP is the following: ""Controls to ensure user privacy -including but not limited to- cookies management, users log file and behaviour"". What is the privacy aspect involved in the ""log file"" concept?"

Answer: As a log file contains information about usage patterns, activities, and operations within an operating system, application, server or another device, these data may be related to 'an identified or identifiable person' and therefore be treated as personal data.

59. Question: "One of the technical requirements indicated in the RFP is the following: ""Controls to ensure user privacy -including but not limited to- cookies management, users log file and behaviour"". What does ""behaviour"" refer to? We would need to clarify this technical concept."

Answer: Transactional actions, searches, access to the Registry, the different pages being visited by a user, and other standard analytics collected by most websites.	
60.	<p>Question: "The system shall also be in compliance with relevant data protection laws and regulations, keeping in mind that it will be accessed by users from different parts of the world, for whom personal data may be subject to different standards of data protection and privacy. [...]"</p> <p>Does the design of the system's storage architecture need to take into consideration that, due to regulatory issues in any state, personal data types need to be housed in a specific geographic location? In other words, does the system's data storage architecture need to consider the location of specific geographic areas for some users, different from the main Registry?"</p>
Answer: All the Registrar's systems need to be in compliance with local laws on data protection. But it is to be noted that during the evaluation of the proposals, consideration may also be given to the compatibility of the proposed system to widely applicable standards of data protection and privacy. Additional details can also be found in the answer to Question 61.	
61.	<p>Question: "In relation to C.43. above: What a principals should the regulatory frameworks for compliance be, and should they be those applicable in the country where the Registry resides?"</p>
Answer: The Registrar shall comply with laws on data protection in the country where the Registry is based. Additionally, other local laws may be applicable on the basis of other relevant connecting factors (where the user/data subject is located, where the monitored behaviour takes place, etc). The Registrar is expected to ensure the compliance with rules and principles that are compatible with widely applicable standards of data protection and privacy.	
62.	<p>Question: "One of the technical requirements indicated in the RFP is as follows: "[...] Data entry locking shall occur at the row level and provide other users and processes read access to "in-transaction" data." Does record-level locking imply that, essentially in edits, when a user starts an edit process, changes to that record by other users are blocked (and that "in-transaction" status is displayed) until the first user has finished?"</p>
Answer: Yes	
63.	<p>Question: "One of the technical requirements indicated in the RFP is the following: "The system shall provide the capability for reasonable state-of-the-art interfacing to heterogeneous (unlike) systems and databases including national and regional registries"</p> <p>The state-of-the-art interfacing interfaces is wide ranging from API-based systems, XML, Message Queues, etc., and other standards. Will the connection to regional and national registries be outside of a recognised interconnectivity standard or based on legacy systems?"</p>
Answer: At commencement it is expected that the standard interface with external systems will be through APIs but other common interconnectivity standards such as XML may be supported. Any post commencement direct interface request with an external legacy system, other than through an API or interconnectivity standard that is not supported, can be reviewed by the Registrar in consultation with the Supervisory Authority on a case-by-case basis.	
64.	<p>Question: "One of the technical requirements indicated in the RFP is the following: "As part of the user's logon process, a configuration management function shall be included that allows for automatic distribution of software enhancements from servers to the client, preferably through a browser rather than through distribution of software to end users"</p> <p>Given that access to the application is via a web browser, the process of distributing software to "clients" would not apply."</p>

Answer: This is correct. In this paragraph, the intention is to convey that access to the Registry, including the most up-to-date version of the Registry interface, should not be dependent upon any downloads which the users must initiate.	
65.	<p>Question: "Within Part 3 (Cost Specifications), additional services that the Registrar may provide are explained. These services must be explained in the technical memorandum and the cost estimate, and must be approved by the Supervisory Authority before being provided.</p> <p>Are there any milestones in the tender process or during the development of the registration service after which additional services cannot be proposed and approved by the Supervisory Authority, i.e. is there a possibility that once the contract has been signed and the registration service is underway, the Registrar could plant new additional services?"</p>
Answer: No.	
66.	<p>Question: "Under Part 4 (Information about Key Contract Provisions), the option of possible tariff changes is mentioned.</p> <p>Is there a specific review process, is there a specific periodicity for this review, and is there an international variable/index against which to index the tariffs?"</p>
Answer: It is assumed that this clarification relates to Part 3(D) of the RFP which examines the relationship between costs and fees. It is noted that the fees to be charged by the Registry will be established by the Supervisory Authority so as to recover the reasonable costs of establishing, operating and regulating the International Registry, as well as the reasonable costs of the Supervisory Authority associated with the performance of the functions, exercise of the powers and discharge of the duties contemplated by Article 17(2) of the Convention. These fees may be reviewed by the Supervisory Authority from time to time.	
67.	<p>Question: "One of the items in Part 5 (Practical information on the tender process) refers to the requirements for participation and bidding (content and format): "Proposals submitted must contain all the formal requirements in terms of documentation listed in the RFP. Proposals which only contain part of the required documentation will be rejected. This does not pertain to the technical requirements, which will be assessed on their merits."</p> <p>What does ""merits"" refer to? We would need to clarify this technical concept."</p>
Answer: "assessment on the merits" means that technical requirements will not be formally assessed but materially assessed and evaluated. The technical requirements will be assessed in accordance with the procedure set out in Paragraph 150-152 of the RFP.	
68.	<p>Question: "One of the points in Part 5 (Practical information on the tendering process) states the following: ""The slide deck (if any) alongside any speaking notes must be submitted alongside the proposals. Should a slide deck not be submitted alongside the proposal, the tenderer will not be allowed to use slides as part of their oral presentation.""</p> <p>Are there any requirements/formats/criteria to follow for developing the slides?"</p>
Answer: No. The bidders may submit this information in any format they see fit, as long it is easily accessible by the Evaluation Committee.	
69.	<p>Question: "One of the points in Part 5 (Practical information on the tendering process) states the following: ""The selected tenderers as specified above must make an oral presentation to the Preparatory Commission's Evaluation Committee and participate in a question-and-answer session"".</p> <p>How many people can participate at most, does the presentation have to last 90 minutes including the Q&A, will the presentation be physical or telematic?"</p>
Answer: The requirements for the presentation are set out in Paragraph 156 of the RFP.	
70.	<p>Question: "One of the sections of Annex 3 refers to the 24/7 operation and administration of the registry: ""193. Article XVIII(5) of the MAC Protocol provides that the functions of the International Registry must be operated and administered by the</p>

	<p>Registrar on a twenty-four hour basis. This will ensure that registration of international interests, and other International Registry services, are provided at any time in accordance with the business hours of the jurisdiction where the relevant transactions take place."</p> <p>Would it be possible to provision only business hours from the country of reference and the rest of the hours to be automated services?"</p>
<p>Answer: All core functions of the Registry must be operated on a 24-hour basis. Some of the functionalities are themselves provided on an automated basis.</p>	
71.	<p>Question: "One of the components required in Annex 3 is the following: ""C-15: Digitise physical materials through conversion of handwritten or typed text into machine-readable format from a scanned document or image"".</p> <p>Does handwriting scanning include OCR, and does it include scanning of handwritten text in any of the languages supported by the tool? When a new language is added, should handwriting scanning also be included in its typography? In Which business processes would this document recognition apply?"</p>
<p>Answer: Registrations will always be filed electronically. This type of OCR technology will be used for scanning and reading items such as identity documents, records related to companies that the Registrar might need to collect, or consents that the Registrar might need to collect. In terms of languages for OCR technology, it would be recommended to follow the guidance of Paragraph 58 of the RFP, with this technology being part of the section on 'services' provided by the Registrar.</p>	
72.	<p>Question: "One of the requirements of Form 4 within the user identification section is the following: ""F3 - 2.3: The MAC Registry must not retain personal identity information and documents (e.g., Passport or Drivers Licence details) longer than necessary"".</p> <p>Can more time than necessary be interpreted as discardable once identified? If not, is there a minimum time frame that must be met associated with any regulations? It is assumed that the Data Protection and Privacy Risk of the country from which the service is provided would apply."</p>
<p>Answer: The time frame for how long the MAC Registry will be required to retain personal identity information shall be determined by the Regulations and Procedures of the Registry. These requirements will need to comply with the data protection and privacy laws applicable to the Registrar, and the relevant data protection and privacy laws applicable to those submitting the data.</p>	
73.	<p>Question: "One of the requirements of Form 4 within the user identification section is the following:</p> <p>""F3 - 2.5: The MAC Registry may validate identity information using Third-Party Identity Service Providers designated by the Registrar or from Contracting State identity systems.""</p> <p>Can these identity providers include external services such as Google, Amazon, Microsoft as IdP? Is there a need to envisage possible standards-based integration with authoritative sources of Contracting States?"</p>
<p>Answer: The Commission is open to considering appropriate external identity validation service providers as part of the solution design – these could be private providers or state providers. Where a Contracting States does not have national identity frameworks and standards, third party IdPs can be used.</p>	
74.	<p>Question: "One of the Form 4 requirements within the non-functional requirements section is the following: "" 17 The MAC Registry is to support the management of interfaces through an Application Programming Interface (API) gateway, event messaging platform or other integration mechanisms"".</p> <p>Other integration mechanisms"" is a very broad spectrum in terms of market standards, is there a recommendation as to what minimum standards should be covered? Is the</p>

	objective of supporting different integration interfaces intended exclusively for record-keeping functionalities or should it cover some additional functionality (apart from the payment that will effectively be an integration with a PsP)?"
<p>Answer: The expectation is to ensure all functions of the registry are able to be delivered via the API. Also see response provided at Q25 and Q63 and reproduced below:</p> <p>The solution architecture, once developed, will assist in clarifying the API gateway required to interact with the different components of the solution. The ability of third-party providers or high-volume institutional users to be able to register, amend, assign, subrogate or discharge security interests, and conduct searches is expected, along with the ability to pay for the transactions.</p> <p>At commencement it is expected that the standard interface with external systems will be through APIs but other common interconnectivity standards such as XML may be supported. Any post commencement direct interface request with an external legacy system, other than through an API or interconnectivity standard that is not supported, can be reviewed by the Registrar in consultation with the SA on a case-by-case basis.</p>	
75.	<p>Question: "One of the requirements of Form 3 in the section on registration and identification of user accounts is the following: ""F3 - 2.4: The MAC Registry can collect and store document metadata of identity information"".</p> <p>What specifically does the concept of ""metadata"" in this section refer to, and can you give a concrete example?"</p>
<p>Answer: Once an identity validation has been completed the source ID document image and data may no longer be required and should not be stored.</p> <p>However, to the extent that an audit trail may be required for potential future fraud investigations, some metadata about the ID document used could be captured and retained. Metadata in this context refers to information about the identity document that was used. For example, if a driver's licence was used for identity validation, the metadata could include document ID type, the date/time the licence details were entered by the use, and the issuing state.</p>	
76.	<p>Question: "One of the requirements of Form 2 within the section on Information Management and User Support is as follows: ""1.3. A User can ask questions about registration and search processes through a Digital Assistant 24x7 or Help Desk during nominated hours set by the Business Rules"".</p> <p>What does ""business rules"" refer to? We would need to clarify this technical concept"</p>
<p>Answer: Business Rules is a defined term in Annex 3 of the RFP</p>	
77.	<p>Question: "One of the requirements of Form 7 under Complaints and Revisions is the following: ""1.1 The MAC Registry will include a form to enable the electronic submission of complaints, allegations of fraud, tip-offs, and other concerns by Users and create a case"".</p> <p>Could this requirement be fulfilled by a formal Whistleblowing Channel according to the European Directive (Whistleblowing Directive)?"</p>
<p>Answer: A formal Whistleblowing Channel does meet the requirements and needs of users in case of allegations of fraud or tip-offs. For handling ordinary complaints and other concerns by users, related to operation of the Registry for instance, a simple complaint-handling mechanism may fulfil the requirements.</p>	
78.	<p>Question: "Within Annex 5 of the RFP (MAC Registration Regulations) there is a section on the information required for registration. Within sub-section 5.17 Closing room se indica: ""5.5: The International Registry may provide a facility permitting the registration of all assignments included in a "block assignment registration request [...]"".</p>

	Related to C.34 and C.35, would the implementation of a mechanism equivalent to a Closing Room © eliminate the need to cover this functionality in full or the considerations set out in the paragraph?"
Answer: Yes. Any mechanism equivalent to the Closing Room™ type functionality would satisfy these requirements.	
79.	Question: "One of the actions required in Form 2 is to attach the audited financial statements of the two previous fiscal years, it is also required to complete a table with the Balance Sheet and Income Statement, but for this last part the year/year is not specified. fiscal years. Should the Income Statement and Balance Sheet table be filled in for the last 2 fiscal years, or for the last year?"
Answer: Yes. Financial statements for the past 2 years should be provided.	
80.	Question: "One of the activities required under Form 2 is: ""Complete the table below and submit a complete set of audited financials for the previous two fiscal years that demonstrates you have the financial capability to successfully support the entire contract"". In addition to the financial audit, other types of audit (quality, systems, cyber-security, internal control, risk management, etc.) are foreseen. Will the costs be borne by the Registrar or the Supervisory Authority?"
Answer: All audit related costs will be borne by the Registrar.	
81.	Question: "One of the requirements of Form 3 is to include a description of the methodology for conducting the workshops: ""Please provide a description of your methodology for conducting design workshops. This response should propose the number of workshops required and the activities to be undertaken in those workshops"". We would need to clarify what is meant by ""design workshops"": who should be the participants, what is their purpose and who are the target groups, where would UNIDROIT be involved?"
Answer: Design workshops in the build phase is to showcase the solution design including solution architecture, security architecture and data architecture. In the operate phase the workshops will demonstrate the business architecture, operating team structure, and high-level business process flows which require actions/decisions by the Registrar. The participants could include the office of the Supervisory Authority, representatives of UNIDROIT, and international experts on collateral registries. The number of workshops required will be determined by the successful tenderer based on their respective project approach and client engagement models. The purpose of the workshop/s is to act as a gateway - to demonstrate how the proposed system and operating structure will deliver the outcomes sought by the MAC Protocol; - to clarify any significant questions/issues that may arise during your planning phases, and; - to provide assurance that your understanding of the business and legislative requirements is sufficiently mature.	
82.	Question: "Provide details of your personnel resources proposed to be used in the implementation of this project. It is critical that your team includes the following expertise: • Business Architect - analyst(s) with experience designing business processes • API gateway Developer(s) - developer(s) with extensive experience developing API connectivity. • Security Personnel – with appropriate security experience as well as relevant cyber security university degrees or industry certifications. • Data management and storage.

	Indicate the position or role that each person will perform, using well understood terms such as Partner, Account Director, Project Manager, Scrum Master, Senior Developer, Junior Developer, System Tester, Deployment Manager."
	Answer: As a minimum, all key personnel in management and specialist roles who are expected to be involved in the build and operating phases should be included.
83.	Question: Can the Registry Management be in 1 country and the technical partner be in another country?
	Answer: Yes.
84.	Question: Can you comment on standards and certifications for security or business continuity
	Answer: Non-functional Requirements s 7,9, 11 and 14 on pages 61- 62 of the RFP provide broad guidance on acceptable standards and certifications.
85.	Will there be any bid security
	Answer: It may not be necessary for the bid stage. Annual financial statements will give an adequate understanding of financial soundness and to a degree sustainability.