

(c) The department may, however, rule that for some tender numbers there will be no licence unit stipulated (e.g., for Item Code 85.033, Tariff Item 85.12.009.41J, stoves, there is a total allocation of \$20,000 with no limit within this on the size of licence units). In these cases (which will be clearly identified), the tenderer can bid for whatever proportion of the total available licence is desired. However, only one bid will be permitted per enterprise.

3. Spare Parts and Service:

Tenderers will be expected to provide an adequate spare parts and servicing back-up where relevant. However, for certain specified tender numbers marked with an asterisk in the calls for tender the tenderer will be required to pre-register an undertaking to provide these facilities. A separate form for this purpose is available with tendering forms. This form should be forwarded either by hand or mail in a separate envelope marked "Spare Parts and Servicing Pre-registration", to the Registrar, Import Licence Tendering, Department of Trade and Industry, Private Bag, Wellington, to reach him as early as possible after the prospective tenderer decides to make a bid and no later than the closing date for tenders. No tender for items so marked can be accepted as valid unless the pre-registration form has previously been received by the Registrar.

4. Who can Bid:

(a) Tenders may be submitted by any enterprise domiciled in New Zealand which has actively traded for the past 12 months.

(b) For the purposes of the scheme, enterprise, does not include:

(i) any social, recreational, or sporting club, any charitable or religious institution, or any person not principally engaged in carrying on a business for financial reward; or

(ii) any person who in the opinion of the Secretary of Trade and Industry has not actively traded in goods or services for the 12 months preceding the calling of a tender; or

(iii) any person who has been granted a licence under these provisions but who, not having lawfully assigned his licence, fails to import goods under that licence to the value of 75 percent of that licence within 12 months of the date of the relevant Notice of Results (see section 11 (d)); or

(iv) any person who has submitted a tender under these provisions but who in the opinion of the Secretary of Trade and Industry:

— has failed to fulfil any undertaking given to the Secretary relating to the taking up of any licence under the scheme; or

— has made any false or misleading statement in relation to any tender submitted under the scheme or any licence granted under the scheme.

5. Limitations on Bids:

No one enterprise may submit bids on more than a specified percentage of the number of licences being tendered within each tender number (generally 20 percent).

6. Tendering Format:

(a) Forms are available from Collectors of Customs and the Department of Trade and Industry.

(b) Tenderers must apply in their own names.

(c) The tariff item(s) against which imports would be made and a brief description of the goods sought are to be set out on the tendering form.

(d) A separate application is required for each individual licence unit being tendered for.

7. Deadlines and Procedures:

(a) Tenders must be received by 5 p.m. on the due date by the Registrar, Import Licence Tendering, Department of Trade and Industry, Private Bag, Wellington. There will be no extension of the deadline specified in the call for tender.

(b) Each envelope is to be externally marked by the tenderer with the number of the tender.

(c) Tenders may be mailed to the above address or delivered by hand to the first floor, reception, Bowen State Building, Wellington. In this case the receptionist will verify that the tender number is marked on the outside of the envelope, stamp a receipt date on the envelope, and ensure that the tender is placed in the appropriate tender box. Hand deliveries may be made between 8.30 a.m. and 5 p.m., Monday to Friday, except public holidays.

(d) In the event of a tie for the last licence units, the winner will be the first valid bid received. In the event that not all available licences is bid for, the licence left over will not be added to the entitlement of successful bidders.

8. Advice and Publication:

(a) All tenderers will be officially advised of the outcome of their bid.

(b) The name and location of each tenderer and the amount of bid in each case will be published in the *Gazette* as soon as possible (N.B.—The specific goods to be brought in will not be published).

9. Payment of the Successful Bid:

The premium bid by successful tenderers will be payable to the Department of Trade and Industry from the date when the relevant notice of results is published in the *Gazette*. The premium must be paid before the licence can be uplifted from the Customs Department and no later than 6 months after the publication of the notice of results in the *Gazette*.

10. Return of Licence Usage:

Successful tenderers are required to provide details of usage of their tender licence(s) including the country of origin and the value of the goods imported, as soon as these goods are cleared through Customs. A form for this purpose will be attached to the letter of official notification sent to successful tenderers. The completed form should be returned to the Registrar, Import Licence Tendering. Failure to provide this information is likely to result in the tenderer being debarred from further participation in the scheme.

11. Validity of Licences Obtained by Tender:

(a) Licences issued under the tendering scheme will be valid for 1 year from the date of notice of results. Extensions will be considered only in exceptional circumstances.

(b) Licences will not be transferable to other item codes, inside or outside the tendering scheme.

(c) Licences may not be assigned to third parties without the prior written consent of the department.

(d) Non-use of licence within the 1-year period will result in the applicant being debarred for a period from further participation in the tendering scheme. Normally non-usage of licence would occur where 25 percent or more of the tendered licence has not been utilised within its validity period.

12. Statutory Obligations:

The issue of an import licence under the tendering scheme will in no way affect the obligation of the tenderer to comply with other relevant statutes and regulations such as the obtaining of relevant veterinary, phytosanitary, and any other agricultural food and drug approvals; the meeting of relevant safety standards; the payment of the appropriate level of duty as set out in the New Zealand Customs Tariff, the meeting of the provisions of the Sale of Liquor Act where relevant; etc.

Dated at Wellington this 15th day of January 1981.

Secretary of Trade and Industry.

Insurance Companies Deposits Act 1953—Proposed Release of Deposits

THE Pearl Assurance Company Limited has given notice to the Public Trustee that it has ceased to carry on Classes 1, 2, 3, and 4 insurance business in New Zealand and proposes pursuant to section 19 of the above-mentioned Act to withdraw the deposits which have been made by it with the Public Trustee.

The Public Trustee therefore gives notice, pursuant to section 19 (3) of the above-mentioned Act, that being satisfied that the liabilities of the above-mentioned company in respect of the classes of insurance designated as Class 1, Class 2, Class 3, and Class 4 in the First Schedule of the above-mentioned Act have been provided for, he proposes to release to the above-mentioned company on or after the 12th day of February 1981 the deposits made by it in respect of Classes 1, 2, 3, and 4 insurance business.

Any objections to the release of the deposits should be lodged with the Public Trustee, Lambton Quay, Wellington 1, on or before the 5th day of February 1981.

Dated at Wellington this 5th day of January 1981.

N. W. CURRIE, Deputy Public Trustee.

Notice Declaring Saffron Thistle (*Carthamus lanatus*) a Class B Noxious Plant (No. 2517, Ag. 12/10/10)

1. Pursuant to section 19 of the Noxious Plants Act 1978, the Noxious Plants Council hereby declares saffron thistle (*Carthamus lanatus*) a class B noxious plant in that part