

## PUBLICATION OF RESULTS

28. Results are published in the *New Zealand Gazette*. These become available as soon as possible after notification of individual results.

29. Copies of the *Gazette* may be obtained on a subscription basis from the New Zealand Government Printer on a March year basis on payment of that year's subscription. Payment should be made direct to the Subscription Clerk, Government Printer, Private Bag, Wellington. Alternatively, copies may be obtained through the bookshops of the Government Printer.

## WAIVING OF BIDS

30. The Registrar may use his discretion to waive bids where a gross error is brought to his attention by the bidder. Requests for the waiving of bids must be made in writing within the 14-day period allowed. Where a bid is waived after the announcement of provisional results, a substitute bid will not be accepted. Adjustments may be made to the final results. Unsuccessful tenderers could therefore be allocated licence after the adjustments for waived bids have been made. The 10 percent bank cheque, money order, or cash deposit is required promptly from such bidders (see below).

## PAYMENT OF PREMIUMS

31. The results letter shows the total premiums due (apart from any adjustments referred to above). A 10 percent non-refundable deposit is payable within 14 days of the date of the results letter. Payment *must* be by bank cheque or cash (excluding company or personal cheques) for amounts totalling more than \$100. For amounts of \$100 or less payment may be by money order. The deposit is non-refundable except in exceptional circumstances.

32. Failure to pay the 10 percent deposit within the 14-day period will result in the suspension of the bidder from further tendering until the 3-month payment date at which stage the tenderer will be barred for 2 years from tendering.

33. Licence units which have become available through bids being waived or through the 10 percent deposit not being paid will be reallocated to other bidders. A 10 percent deposit on licence allocated in this way is payable as stipulated in paragraph 31 but must be made by return mail.

34. Any surplus licence will be put into the residual pool and will be made available at the weighted average premium struck after the final results are determined following the payment of the deposits.

35. The balance of the premiums is payable within 3 months of the date of the results letter. An invoice will be sent for this balance. Payment should preferably be by bank cheque or cash for amounts over \$100 or by money order for lesser amounts. Personal and company cheques are subject to a 15 working day clearance in normal circumstances. Payment by bank cheque allows the department to issue licences more promptly than if payment is made by personal or company cheque.

36. Non-payment of the balance will result in the tenderer being barred from further bidding for a period of 2 years. All payments should be made to the Finance Officer, Department of Trade and Industry, Private Bag, Wellington. Licences are issued by the department and are normally valid for 1 year from shortly after the 14-day payment date.

## MOVEMENT OF GOODS TO LICENCE ON DEMAND

(Global licence general tenders only)

37. After the 14-day payment period, the weighted average successful premium of each tender will be calculated and compared with the previous relevant round of tenders. Where the simple arithmetic average of those rounds is 7.5 percent or less the goods will be designated to move to licence on demand.

38. Those who have successfully tendered for products about to become licence on demand will be given the option of either receiving a licence for 10 percent of the c.i.f. value of the licence won by tender (being the 10 percent deposit already paid) or an amount in units of 10 percent up to the full value of the licence won on payment of the proportion of the balance due. For example:

	Licence Value \$ CIF	Premium \$
Original Tender	10,000	2,200
10 percent option	1,000	220
20 percent option	2,000	440

Further options in 10 percent steps only.

39. Goods might also move to licence on demand after the 3-months' payment period when the weighted average successful premiums are calculated for tenders where there are non-payments. In this case a partial refund will be made if any part of the licence already paid for has not been used or similar arrangements will be made to those outlined above.

## RESIDUAL LICENCE

40. Licence not bid for or not paid for will be made available as residual licence at the weighted average successful premium determined after the 14-day period for payment of deposits.

41. The availability of residual licence at that stage will be published in the *New Zealand Gazette*. All except those bidders who are suspended or barred may apply for residual licence. A period of 3 weeks after the publication of the *Gazette* will be provided for those applications to be made. Applications should be made on T & I 335E. After result letters are despatched successful entities will be required to pay a 10 percent bank cheque or cash deposit within 14 days and the balance by the original 3-month payment date. Applicants must ensure that the department has all the necessary information available for the preparation of a licence, especially the importer code.

42. Licence not applied for in the 3-week period will continue to be available on request at the same price for the rest of that licence period. After the 3-month payment date further licence not paid for may be added to the residual pool and be available on request at the weighted average price originally struck or at a price determined after the 3-month payment date if residual licence was not previously available.

43. Continuity licence will not be available on any residual licence. See also paragraph 45 below.

44. Payment for residual licence on request should be made in full, preferably by bank cheque, at the time the request is made. Arrangements in line with those in paragraph 38 will be made where goods move to licence on demand.

## CONTINUITY LICENCE

(For some but not necessarily all rounds of tendering, continuity licence will be made available)

45. Successful tenderers may buy a licence worth 50 percent of the total c.i.f. value (or volume) of licence won in a round of tenders so that it will be available for the following year. Continuity licence paid for will be charged for at half the cost of the original licence. Continuity licence will be issued after invoicing and on payment of the appropriate portion of the premium paid for the original licence. Licences and invoices will be made out to the nearest dollar.

46. This option will be offered to tenderers after the end of the 3-month payment period and in time to allow for appropriate adjustments to be made to the amount of licence available for tender in the next year.

47. Continuity licences will be available for a period of 1 year after expiry of the original tender licence starting with the next tender licence period. Invoices will be for payment within 3 months of the licence starting date. Non payment will result in barring. However, it should be noted that:

- (a) Licences which have been less than 75 percent used will not qualify. A declaration of actual and intended licence usage may be required.
- (b) Continuity licence purchased for the second year will not qualify for the third year.
- (c) Tender licence assigned to another party will not qualify for continuity.

## EXTENSION OF LICENCE

48. Tender licences will not be extended beyond their expiry date except in the circumstances outlined below. In cases where goods have been ordered in time to arrive before the licence expires but are delayed for reasons outside the importer's control (e.g., delay of ships) licences can be extended for 60 days beyond the expiry date by an endorsement of the licence by a Customs Licensing Officer. Requests for such extensions of licences must explain the reasons for the delay, provide evidence that the goods were ordered in time to arrive before the expiry of the licence and that they will arrive within the 60-day extension period. Applications for such extensions must be made before the licence expires.

## ASSIGNMENT OF LICENCE

49. When a licence has been paid for entirely it is deemed to be the property of the importer. It may then be assigned to one or more other parties. Payment may be made by one or all parties concerned but the whole amount due has to be made at one time. Parties to an assignment must signify their agreement to the assignment on the appropriate form which can be obtained from any office of the department.

50. The assignment will not be granted where the receiving party is already barred from tendering because of non-payment. Assignment may not be granted where the Customs Department raises valid objections to the transaction. The assignment may be refused where it is, in the view of the Department of Trade and Industry, likely to be contrary to the objectives of tendering.