

are despatched successful entities will be required to pay within 1 month of the date of the results letter. Applicants *must* ensure that the department has all the necessary information available for the preparation of a licence, especially the importer code. Licence units are allocated by computer by random selection where requests for licence exceeds supply.

38. Licence not applied for in the 3 week period will continue to be available on request at the price referred to in paragraph 36. Payment should be made at the time a request on T&I 401 is lodged.

39. After the 3 month payment date for the tender round, licence not paid for will be added to the residual pool and be made available at a recalculated price which allows for non-payments. The availability of this licence will be published in the *New Zealand Gazette* which may be obtained from the Government Printer as noted in paragraph 27. A period of 1 month will be provided for payment from the date of the results letter.

CONTINUITY LICENCE

40. Continuity licence will be made available unless the Call for Tenders states otherwise. Licence holders may buy a licence worth 50 percent of the total c.i.f. value (or volume) of licence won and paid for in a previous round of tenders so that it will be available for the following year. Continuity licence will be charged for at the same bid rate as for 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.

41. Continuity licence will be available on assigned licences and residual licences where the assignment has taken place or the residual licence has been obtained in the first nine months of the validity period of the tender licence.

42. Payment for continuity licence must be made within 3 months of the licence starting date.

EXTENSION OF LICENCE

44. Tender licences will not be extended beyond their expiry date except in the following circumstances. 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 Department 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.

ASSIGNMENT OF LICENCE

45. When a licence has been paid for entirely it is deemed to be the property of the importer. It may then be assigned in full or in part to one or more other parties. Payment may be made by one or all parties concerned but the whole amount due has to be paid 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.

GOODS AND SERVICES TAX

46. GST is not payable on the premiums.

RECEIVERSHIP/LIQUIDATION/BANKRUPTCY

47. If during the payment period, the successful tenderer should go into bankruptcy, receivership, liquidation or is commenced to be wound-up under the Companies Act 1955, without payment of the premium being made, the Official Assignee, Receiver or Liquidator (as the case may be) may pay or cause to be paid the premium and;

- (a) Uplift the licence and use it in accordance with its conditions and this Guide; or
- (b) Assign the licence to another party in accordance with paragraph 45.

48. Where a company in receivership or liquidation continues to trade it is not precluded by that fact from lodging bids in future rounds.

TAKEOVER/MERGER OF BUSINESS

49. If during the payment period the successful tenderer's business is the subject of a takeover or merger, the terms of which gives a different entity the contingent interest in the unredeemed licence, the successful tenderer shall immediately notify the Registrar in writing accordingly.

50. An assignment of the licence to the different entity will be granted where a prompt notice is received in terms of paragraph 49 and the criteria as set out in paragraphs 45 of the Guide are satisfied.

GOODS MADE EXEMPT

51. Where goods are made exempt or subject to licence on demand during the period of validity of a licence, a refund may be allowed for unused licence. Tenderers should apply in writing to the Registrar.

SHORTFALL OF LICENCE

52. Additional tender licence cannot be issued to cover shortfalls in licence value. Imports in excess of the value of licences held will be considered in terms of the section "Importation of Goods without Licence or Permit" in Annex III of the Import Licensing Schedule.

LOST OR DESTROYED LICENCES

53. If a licence is lost or destroyed, the appropriate declaration should be made with the Collector of Customs. The value of any balance on the licence should be certified where possible by the Collector. The declaration should then be forwarded to the Registrar. The onus is on the tenderer to notify the Registrar promptly.

PILLAGED GOODS

54. Details of the value of pillaged goods, insurance documents and marked-off licences should be submitted to the Customs Department for a write back of licence to be considered.

GOODS EXPORTED

55. Where goods brought in under tender licence are subsequently exported, an application should be lodged under normal licensing procedures for a replacement licence for the c.i.f. value of goods concerned. The application should be supported by documentary evidence of the export transaction.

LICENCE USAGE

56. As tendering aims to provide increased opportunities for importers by way of open and competitive licence allocation, and to foster competition, tender licence-holders are expected to make reasonable use of their licences.

57. If it is established that any tender licence-holder may be frustrating the aims of tendering by substantially under-using tender licence the company and possibly subsidiaries and associates will be barred from tendering for a 2-year period. The use of less than 75 percent of licence would generally be regarded as substantial under-utilisation.

GOVERNMENT BOOKSHOPS

58. Copies of tender *Gazettes* are available from:

WELLINGTON	Head Office, Mulgrave Street, Wellington.
Postal	Private Bag, Wellington. Branch Office, World Trade Centre, Cubacade, Wellington.
AUCKLAND	Hanaford Burton Building, 25 Rutland Street, Auckland.
Postal	Private Bag C.P.O., Auckland.
HAMILTON	Ward Street, Hamilton.
Postal	P.O. Box 857, Hamilton.
PALMERSTON NORTH	Government Buildings, Georges Street, Private Bag, Palmerston North.
Postal	Private Bag, - Palmerston North.
CHRISTCHURCH	Malvern House, 159 Hereford Street, Christchurch.
Postal	Private Bag, Christchurch.
DUNEDIN	T&G Building, Princes Street, Dunedin.
Postal	P.O. Box 1104, Dunedin.

DEPARTMENTAL OFFICES

59. The Tendering Section has its own mail box and mail about Tendering should be sent to:

The Registrar
Tendering
P.O. Box 3146
Wellington