

one or more lots. In the latter case, the lot(s) displaced become available for reallocation. This process will be repeated until every lot has either been allocated or identified as not wanted. Where there are two or more equal next highest bids, or equal preferences, the winner or lot(s) to be allocated will be determined by random selection.

33 Failure to make the required payment in settlement will invalidate the relevant bid(s) made by the tenderer concerned. Such bids will be re-allocated as described above, but with the exception that at this stage orders of preference will be disregarded.

34 For the purposes of determining equal bids and/or preferences, as outlined above, the Ministry will make use of a computer-based random number generator.

GOODS AND SERVICES TAX

35 The Department of Inland Revenue has advised the Ministry of Commerce that GST is not payable in respect of the deposits and interest share of unsuccessful tenderers. However, liability for GST does arise in the case of successful tenderers. Accordingly, for the purposes of determining the results of this tender, all bids will be considered to exclude GST. Provision for GST will be recovered from successful tenderers at the time that they are invoiced for payments in settlement. GST will be additional to the amount otherwise payable by the successful tenderer.

ANNOUNCEMENT OF RESULTS

36 Details of all bids, including invalid bids, will be published in the New Zealand Gazette soon after final results have been determined. In addition, each tenderer will be notified in writing of the result of his or her bid(s).

37 Successful tenderers will also receive the licences won at this time, unless these are requested on payment. It is the responsibility of the tenderers concerned to ensure that these are registered in accordance with the provisions of the Radiocommunications Act 1989.