AUSTRALIA NEW ZEALAND CLOSER ECONOMIC RELATIONS—TRADE AGREEMENT (ANZCER:TA)

1989-90 EXCLUSIVE AUSTRALIAN LICENCES

CALL FOR TENDERS: ROUND 76

TENDERS CLOSE ON TUESDAY, 4TH JULY 1989 AT 5 P.M.
Australia New Zealand Closer Economic Relations—Trade Agreement (ANZCERTA)

1. A. C. Davies, General Manager, Business Development, Ministry of Commerce, acting under delegated authority, and acting pursuant to regulation 10 of the Import Control Regulations 1988, and subject to the terms and conditions set out in the First Schedule hereto, hereby call for tenders for licences to import the goods specified in the Second Schedule hereto.

FIRST SCHEDULE

Terms and Conditions

The terms and conditions applicable to this tender round are as follows:

WHO MAY BID

1. Import licence tendering for this tender round is open to all entities which are entitled to obtain an import licence in accordance with the Import Licence Schedule reference to "Who Can Apply", with the exception of any manufacturer, including its subsidiaries and associates, who holds a Manufacturers Exclusive Australian Licence (MEAL) for the 1989/90 import licensing period in the same tender category. (A company will be ineligible to tender if another company holding a MEAL in the tender category concerned has a 25 percent or more shareholding connection with the first company, either directly or indirectly.)

CALL FOR TENDERS

2. This notice may be amended or revoked in whole or in part by notice in the New Zealand Gazette.

HOW TO BID

3. Bid forms for this tender (form COM 335A) are supplied with the mailing of the Gazette or they may be obtained from any office of the Ministry. The bid form may be photocopied. Duplicates should not be sent.

(a) The bid form must be completed in accordance with the instructions on the form, including those on the rear.

(b) The bid form received by the Ministry of Commerce must bear an original signature in ink.

(c) Except in the case of zero bids each bid form must have attached to it a bank cheque to the value of the deposit calculated in the manner shown on the bid form (25 percent in the value of the bid), made payable to the Ministry of Commerce. Cheques drawn upon company or personal accounts will not be accepted. If the deposit includes cents the amount must be rounded up to the nearest dollar.

(d) Make only one bid per form.

(e) The premium bid per unit must be in whole dollars. If a premium bid entered includes cents the cents will be ignored and the bid will be ranked at the reduced amount. E.G. $1.58 will be taken as $1.00.

(f) Bids must be for whole units.

COUNTRY OF ORIGIN AND CLASSIFICATION

4. This tender round is held pursuant to the provisions of the Australia New Zealand Closer Economic Relations Trade Agreement (ANZCERTA). All licences won in this round will be available for the importation of goods of Australian origin only. It is the importer’s responsibility to ensure that the required ‘Certificate of Origin’ is obtained prior to importation. It is the tenderer’s responsibility to ensure that the goods to be imported are correctly classified in the Item Code and/or Tariff Item specified against the relevant tender number and comply with the description against that tender number.

INVALID BIDS

5. Bids of this round will be invalid where:

(a) Bid is not made on bid form COM 335A.

(b) The tenderer’s importer code is not given.

(c) The name and/or address of the tenderer is not shown.

(d) The information supplied is not legible.

(e) The bid form received does not bear an original signature in ink.

(f) Bid is not received by the Senior Advisor, Import Licensing Tendering Section, Ministry of Commerce, P.O. Box 1473, Wellington, by 5 p.m. on Tuesday, 4th July 1989.

(g) Tenderer does not meet requirements under Who May Bid.

(h) The tender number is not shown on the bid form.

(i) A non-existent tender number is shown.

(j) The number of units required is not shown on the bid form.

(k) The premium bid per unit is not shown on the bid form.

(l) Payment is not by a bank cheque.

(m) Payment is not made out to Ministry of Commerce.

(n) A bank cheque to the value of the deposit shown on the form is not attached to each bid form (unless zero bid).

(o) The value of the cheque is less than the deposit required.

(p) There is more than one bid on a bid form.

(q) Bid is received by way of facsimile.

(r) The bidder, or a subsidiary or associates, holds a Manufacturers Exclusive Australian Licence in the same item code for the 1989/90 licensing year.
DETERMINATION OF RESULTS

6. All bids will be ranked in order from highest to lowest. Bids of equal value will be ranked on a random selection basis.

7. Licence is allocated to bidders, in order, in two runs. In the first run each successful bidder is allocated licence up to a maximum number of units as is specified against each tender number in the column headed ‘If Over Subscribed Initial Share Limited To:’. Any licence remaining after the first run will then be allocated in a second run to bidders, in order, with no further limit on the amount each bidder can receive. The remaining amount of any bid that was partially satisfied in the first run will be included in the second run.

8. One licence and one invoice will be produced for each winning bid.

DETERMINATION OF PREMIUMS PAYABLE

9. Where the amount of licence bid for in a tender number is more than the amount of licence available for that tender number the premiums bid by successful tenderers are payable. Where the amount of licence bid for in a tender number is less than the amount of licence available for that tender number all premiums for that tender number will be waived. Deposit will be returned and licences won will be issued at no cost.

ANNOUNCEMENT OF RESULTS

10. Each tenderer will be notified in writing of the results of its bids.

11. Results will be published in the Import Licensing Edition of the New Zealand Gazette.

PAYMENT OF PREMIUMS

12. Except in the case of successful zero bids an invoice will be sent to successful tenderers for the balance of the premium due for the licence to which it relates. The balance must be received by the Finance Section, Ministry of Commerce, P.O. Box 1473, Wellington, no later than the date specified on the invoice. If payment is not received by the due date, the successful tenderer will forfeit its entitlement to licence and deposit. The payment of the balance is required within 3 months of the date of the results letter.

GOODS AND SERVICES TAX

13. GST is not payable on the premiums.

REFUNDS OF DEPOSITS

14. Deposits remitted in respect of unsuccessful or invalid bids will be refunded to the tenderer.

VALIDITY OF LICENCE

15. Licences won will be valid from the date they are signed by the authorising officer.

UNPAID LICENCE

16. licences not paid for by the due date will be reallocated to unsuccessful tenderers in the tender numbers concerned. The units available will be offered to unsuccessful tenderers in descending bid rate order. Those tenderers will be offered the units previously bid for at the bid rate made. The offer will be on an “all or nothing” basis. The offer will not be made to successful tenderers who failed to pay the balance of premium owing, or to unsuccessful tenderers who declined the first offer. Payment for such unpaid licence will be required within 10 working days.

CONTINUITY LICENCE

17. Any licence controls remaining on goods of Australian origin on 1 July 1990 will be removed from that date. For this reason no continuity licence is applicable for this round.

REFUND FOR EXEMPTIONS

18. Rubber products will be removed from control from 1 January 1990. Footwear of Australian origin will be removed from control from 1 March 1990. All remaining import controls on goods of Australian origin will be removed from 1 July 1990. No refunds will be made of premiums for the unused balances on licences following these exemptions. Refunds will be considered in the case of any exemptions not notified here.

CLOSING OF BIDS

19. Bids must be received by the Ministry of Commerce in Wellington by 5 p.m. on Tuesday, 4th July 1989. Late bids cannot be accepted.

20. Bids should be addressed to the Senior Advisory Officer, Import Licensing Tendering Section, Ministry of Commerce, P.O. Box 1473, Wellington. Envelopes should be clearly marked “IMPORT LICENCE TENDER” in the bottom right hand corner of the envelope. Bids can be put in the Tender Box situated on the First Floor, Bowen State Building, Bowen Street, Wellington.
SECOND SCHEDULE

The Item Code groupings tendered hereunder derive from the Import Licence Schedule:

Note: Before completing the bid forms tenderers should read the terms and conditions set out in the First Schedule carefully as the procedures for this round differ in a number of respects from previous Rounds.

<table>
<thead>
<tr>
<th>Tender No.</th>
<th>Item Code</th>
<th>Goods: Brief Description</th>
<th>No. of $2000 c.i.f.</th>
<th>Units</th>
<th>If Over-Subscribed</th>
</tr>
</thead>
<tbody>
<tr>
<td>6696</td>
<td>11.008</td>
<td>Wheat flour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6697</td>
<td>11.018</td>
<td>Groats, meal, and pellets of wheat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6698</td>
<td>15.008</td>
<td>Margarines, shortenings, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6699</td>
<td>15.010</td>
<td>Hydrogenated vegetable oils, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6700</td>
<td>39.292</td>
<td>Tarpaulins, awnings, subblinds, and camping goods, of plastic material</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6701</td>
<td>40.005</td>
<td>Vulcanised rubber thread and cord</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6702</td>
<td>40.010</td>
<td>Piping, tubing, hose, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6703</td>
<td>40.015</td>
<td>Unvulcanised rubber in other forms</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6704</td>
<td>40.022</td>
<td>Plates, sheets, strip, etc., of unhardened vulcanised rubber</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6705</td>
<td>40.030</td>
<td>Transmission, conveyor or elevator belting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6706</td>
<td>40.047</td>
<td>Rubber teats</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6707</td>
<td>40.060</td>
<td>Washers, gaskets, stoppers, etc., of rubber</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6708</td>
<td>40.062</td>
<td>Rubber bands; other articles of rubber</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6709</td>
<td>40.070</td>
<td>Spools, reels, etc.; articles of rubber used in machinery</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6710</td>
<td>60.165</td>
<td>Knitted or crocheted elastic fabric</td>
<td></td>
<td></td>
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<tr>
<td>6711</td>
<td>60.170</td>
<td>Knitted or crocheted elastic articles</td>
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<tr>
<td>6712</td>
<td>62.009</td>
<td>Other furnishing fabric</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6713</td>
<td>62.010</td>
<td>Sacks and bags of polyethylene or polypropylene fabric</td>
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<td></td>
</tr>
<tr>
<td>6714</td>
<td>62.015</td>
<td>Tarpaulins, sails, etc.</td>
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<td></td>
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</tr>
<tr>
<td>6715</td>
<td>64.005</td>
<td>Footwear, of children size 10 to adults size 4 inclusive</td>
<td></td>
<td></td>
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<tr>
<td>6716</td>
<td>64.010</td>
<td>Footwear, exceeding adults size 4</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6717</td>
<td>64.015</td>
<td>Parts of footwear</td>
<td></td>
<td></td>
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<tr>
<td>6718</td>
<td>69.038</td>
<td>Cooking utensils, tableware, etc., also available for goods for Item Code 69.036</td>
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<td></td>
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<tr>
<td>6719</td>
<td>85.057</td>
<td>Ceramic fuses</td>
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</tr>
<tr>
<td>6720</td>
<td>85.081</td>
<td>Ceramic insulators</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Tender No.</th>
<th>Item Code</th>
<th>Goods: Brief Description</th>
<th>No. of 2000 sq metres</th>
<th>Units</th>
<th>If Over-Subscribed</th>
</tr>
</thead>
<tbody>
<tr>
<td>6721</td>
<td>58.120</td>
<td>Carpets, carpeting, rugs, mats, and matting</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Note: This allocation is in units of 2,000 square metres.)

Dated this 7th day of June 1989.

A. C. DAVIES, General Manager, Business Development, Ministry of Commerce.