

ACA Reservations

ACA May Change Process

The ACA may, under the Act, vary or deviate from these processes, or terminate the auction process.

The ACA reserves to itself the right to add to, vary or amend the information, terms and procedures set out in this Applicant Information Package, in its sole discretion.

Other ACA Rights

The ACA reserves the right, in its absolute discretion at any stage of the auction process to do all or any of the following:

- (a) require additional information from any registered applicant; and
- (b) change the structure and timing of the auction process.

The ACA makes no representation as to the utility or otherwise of the spectrum.

Registered Applicants to Meet Own Costs

A registered applicant's participation in any stage of the auction process shall be at the registered applicant's sole risk, cost and expense.

Applications Become Property of the ACA

All application documents submitted in response to the invitation document shall become the property of the ACA.

Collusive Bidding

Registered applicants and their officers, employees, agents and advisers must not engage in any collusive bidding, anti-competitive conduct or any other similar conduct with any other registered applicants, or any other person in relation to the preparation or lodgment of applications or bids for a spectrum licence under the auction process.

Confidential Information

Registered applicants and their respective officers, employees, agents and advisers must not take steps to obtain, or use, confidential information of the ACA relating to its business or the auction process other than information which is publicly available or made available by the ACA to registered applicants during the auction process.

Return of Information to the ACA

The ACA reserves the right, in its absolute discretion, to require that all written information provided to registered applicants (and copies of the information) be returned to the ACA at any stage.

Conflict of Interest

Registered applicants and their respective officers, employees, agents and advisers must not place themselves in a position which may, or does, give rise to a conflict of interest (or a potential conflict of interest) between the interests of the ACA or the Commonwealth (on the one hand) or any interests (on the other hand) during the auction process.

Application of Laws

The laws of the Commonwealth and the Australian Capital Territory apply to the auction process.