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STATUTORY INSTRUMENTS

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**2009 No. 1340**

**The Electricity (Competitive Tenders for Offshore  
Transmission Licences) Regulations 2009**

**PART 10**

**WITHDRAWAL**

**Withdrawal**

17.—(1) An applicant, qualifying applicant, qualifying bidder, preferred bidder, reserve bidder, successful bidder or bidder group may withdraw from the tender exercise in respect of a particular qualifying project by giving notice of that fact to the Authority.

(2) Where an applicant, qualifying applicant or qualifying bidder withdraws from the tender exercise in respect of a particular qualifying project in accordance with paragraph (1), that applicant, qualifying applicant or qualifying bidder may only be re-admitted to the tender exercise in respect of that or any other qualifying project, where there has been a permitted change to the membership of the bidder group incorporating that applicant, qualifying applicant or qualifying bidder in accordance with regulation 26.

(3) Where a preferred bidder, reserve bidder or successful bidder withdraws from the tender exercise in respect of a particular qualifying project in accordance with paragraph (1), that preferred bidder, reserve bidder or successful bidder may not be re-admitted to that tender exercise in respect of that or any other qualifying project.

(4) Where an applicant, qualifying applicant, qualifying bidder, preferred bidder, reserve bidder, successful bidder or bidder group has withdrawn from the tender exercise in respect of a particular qualifying project in accordance with paragraph (1), any payment provided to the Authority by that applicant, qualifying applicant, qualifying bidder, preferred bidder, reserve bidder or successful bidder in accordance with these Regulations, including any interest which may have accrued on that payment, will only be repaid by the Authority in accordance with the Authority's cost recovery methodology in relation to that tender exercise.