

BUSINESS NEWS TERMS AND CONDITIONS FOR AWARDS AND COMPETITIONS

Notes for Use

- Check terms are consistent throughout any Entry Guide
- Check number cross reference in clause 2(d).
- Add links in clause 1(q) and 3(b)

Conditions of Entry

1 General Terms

- By submitting an Entry or Submission, the Entrant accepts these Conditions of Entry.
- The Entry must be submitted as specified in the Entry Guide.
- The Entry must be submitted in full by the end date specified in the Entry Guide. No Entry received after the relevant date will be accepted.
- The Entrant will be considered only for those Awards and Prizes in the Category or Categories specified in the Entry.
- The Entry must meet all eligibility criteria published in the Entry Guide. Business News reserves the right to reject or not accept any Entry which does not meet the eligibility criteria.
- Any terms or conditions of entry set out in the Entry Guide form a part of these Entry Conditions and are binding on the Entrant.
- No responsibility is accepted by Business News for any misdirected, lost or corrupted Entry.
- Any incomplete Entry may not be accepted.
- Business News reserves the right to vet and substantiate information contained in any Entry.
- All Nomination Fees are payable upon entry and are not transferable and non-refundable.
- The Judges will judge each Entry according to the criteria set out in the Entry Guide.
- The Judges' decision is final, and no correspondence will be entered into.
- If in the Judges' opinion there is no Entry of an adequate standard in any Category, the Judges may refrain from making an Award.
- The Chair of the Judges has right of veto on all final judging results.
- Where there is a People's Choice Award, the Award will be awarded to the Entrant with the most public votes.
- All Awards and Prizes will be presented on the date and at the place and in the manner specified in the Entry Guide.
- If the Award is presented at a Business News function or event then the Entrant must comply with and accept the Business News Event Booking Terms and Conditions.
- If for any reason an Entrant does not, take or accept an Award or Prize (or a component of an Award or Prize) at the time stipulated, then the Award or Prize (or that component of the Award or Prize) may be forfeited and is unredeemable cash and/or may not be transferred.
- Award-winners acknowledge that tax implications may arise from any Prize and they should seek independent financial advice prior to acceptance of any Prize.
- All other costs and expenses associated with any Award and any Prize, beyond the specified Award and Prize, will be the responsibility of the winning Entrant. The winning Entrant is not entitled to any compensation if the winning Entrant is unable to attend the Award presentation or function or use all or any part of the Award or Prize for any reason.
- Neither Business News nor any of its personnel, will be liable to any person for any loss or damage sustained or incurred if, for any reason, any Award or Prize is suspended, varied or terminated at any time, with or without prior warning or publicity.
- Nothing in these Conditions of Entry limit, exclude or modify or purports to limit, exclude or modify the statutory consumer guarantees as provided under the *Competition and Consumer Act 2010 (Cth)*, as well as any other implied warranties under the ASIC Act or similar consumer protection laws in the State and Territories of Australia.
- The Award, any Prize and these Conditions of Entry will be governed by Australian law and any disputes will be subject to the exclusive jurisdiction of the courts of Australia.

2 Entry of Original Works

- Entries must be accurate to the best of the Entrant's knowledge belief and be the original work of the Entrant and not infringe any existing copyright.
- Entries which are copies or are derivative of other materials will only be accepted where copyright or intellectual property use permission or rights have been granted and evidence of the same can be supplied.
- Business News will not accept responsibility for, and the Entrant indemnifies Business News from any damage, loss, cost, liability, obligation or expense of any nature whatsoever relating to or arising from:
 - any defamation of character or libel;
 - violation or infringement of copyright or intellectual property rights or laws;
 - any culturally insensitive material; or
 - any inappropriate or offensive material, that may be contained in any Entry.
- Where an Entrant has been nominated by a third party for an Award then:
 - the party submitting the Entry:
 - is bound by these Conditions of Entry;
 - must ensure that such Entry complies with these Conditions of Entry;
 - must ensure that the Entrant is aware of, and agrees to, these Conditions of Entry; and
 - in considered the Entrant for the purposes of clause 2(c), clause 3(d), clause 3(e) and clause 3(g) of these Conditions of Entry.
 - the Entrant is bound by these Conditions of Entry upon the Entry being made.

3 Use of Material

- Except as specified in these Conditions of Entry, all Entries will remain confidential and will only be viewed by Business News representatives and the Judges.
- All personal information provided to Business News will be handled in accordance with its privacy policy.
- By accepting an Award, the Entrant agrees to participate in any news, promotional, marketing or media activity surrounding the Award.
- The Entrant grants to Business News non-exclusive and irrevocable licence to use, publish and reproduce, as it sees fit, including on Business News' website, social media sites and in other marketing materials or platforms owned or operated by Business News:
 - the winning Entrant's name, photographs and biographical details; and
 - all or part of any Entry for news, advertising, promotion and marketing purposes.
- If any part of an Entry is to be treated as confidential then the Entrant must clearly specify "NOT FOR REPUBLICATION" on each part of the Entry that is to be treated as confidential.
- When publishing or reproducing any part of an Entry, Business News is authorised to edit the Entry for sense and conciseness.
- Where the Entrant has provided photographs, images or other visual imagery ("**the Visual Material**") to Business News as part of the Entry the Entrant:
 - warrants to Business News that it holds all necessary rights, consents and authorisations to use the Visual Material for the purpose supplied; and
 - grants to Business News a non-exclusive and irrevocable licence to use, publish and reproduce the Visual Imagery in its publications, promotions and events relating to the Awards and authorises Business News to use the Visual Material for such purposes.

4 Withdrawal, Disqualification or Cancellation of Award

- (a) Business News reserves the right to withdraw, reject or disqualify an Entry if:
 - (i) the Entrant does not meet the relevant eligibility criteria set out in the Entry Guide;
 - (ii) Business News' reasonable opinion the Entry may:
 - (A) contain any defamation of character or libel;
 - (B) be in violation of copyright or intellectual property laws or rights; or
 - (C) be culturally insensitive or otherwise inappropriate or offensive.
 - (iii) the Entrant's business goes into administration or becomes insolvent, or the Entrant becomes bankrupt; and
 - (iv) the Entrant commits and lawful act or undertakes any action or makes any statement which may bring Business News into disrepute or damage the reputation of Business News.
- (b) Business News reserves the right to cancel or withdraw any Award or Prize if:
 - (i) the Entrant's business goes into administration or becomes insolvent, or the Entrant becomes bankrupt;
 - (ii) the Entrant commits and lawful act or undertakes any action or makes any statement which may bring Business News into disrepute or damage the reputation of Business News; or
 - (iii) the Entrant or Entry is in breach of these Conditions of Entry within 12 months of the grant of the relevant Award or Prize.
- (c) The Entrant acknowledges and agrees that if the promoted Prize is unavailable, for whatever reason, Business News reserves the right to substitute the Prize for an award or prize of equal or greater value, subject to State and Territory legislation.

5 Definitions

In these Conditions of Entry the following definitions apply:

- (a) **Award** means the relevant competition or award for which the Entry has been submitted;
- (b) **Business News** means Business News Pty Ltd ABN 73 009 193 140, trading as Business News;
- (c) **Category** means the relevant category or type of award being one of the categories specified in the Entry Guide;
- (d) **Conditions of Entry** mean these terms and conditions;
- (e) **Entrant** means the person or party submitting an Entry;
- (f) **Entry** the relevant entry or submission which has been submitted for consideration of an Award;
- (g) **Entry Guide** means the form or guide setting out the relevant details relating to the Award of which these Conditions of Entry form a part;
- (h) **Judges** means the individual judges or panel of judges who have been appointed by Business News to judge or adjudicate the Award;
- (i) **Nomination Fee** means any nomination or registration fee specified in the Entry Guide; and
- (j) **Prize** means the award, prize or other reward of whatever nature which is specified in the Entry Guide and is to be presented to the winner of the relevant Award.