

LENNOX HEAD GOLDEN TICKET: SHOP TO WIN! PROMOTION
BALLINA SHIRE COUNCIL

TERMS AND CONDITIONS

1. Information on how to enter and the prize form part of these Terms and Conditions. Participation in this promotion is deemed acceptance of these Terms and Conditions.
2. Entry is open to all Australian residents aged 18 years or over.
3. Employees (and their immediate families) of Ballina Shire Council and agencies associated with this promotion are ineligible to enter. Immediate family means any of the following: spouse, ex-spouse, de-facto spouse, child or step-child (whether natural or by adoption), parent, step-parent, grandparent, step-grandparent, uncle, aunt, niece, nephew, brother, sister, step-brother, step-sister or 1st cousin.
4. Promotion commences on 22/08/23 and final entries close at 11:59pm AEST on 29/11/2023 ("Promotional Period").
5. To enter, individuals must undertake the following steps during the Promotional Period:
 - Spend a minimum of \$20 at three participating Lennox Head businesses during the Promotional Period.
 - Provide proof of purchase by either shop hardcopy receipt or screenshot of bank statement showing transaction or emailed/sms receipt.
 - Receipts must show date of purchase, business/vendor, amount.
 - Follow the prompts to the competition entry page at discoverballina.com.au and input the requested details including their full name, year of birth, contact phone number, email address, suburb, postcode; and then
 - Submit the fully completed online entry form.
6. Ballina Shire Council reserves the right, at any time, to verify the validity of entries and entrants (including an entrant's receipts, identity, age and place of residence) and reserves the right, in its sole discretion, to disqualify any individual who Ballina Shire Council has reason to believe has breached any of these Terms and Conditions, tampered with the entry process or engaged in any unlawful or other improper misconduct calculated to jeopardise fair and proper conduct of the promotion. Errors and omissions may be accepted at Ballina Shire Council's discretion. Failure by Ballina Shire Council to enforce any of its rights at any stage does not constitute a waiver of those rights. Ballina Shire Council's legal rights to recover damages or other compensation from such an offender are reserved.
7. Incomplete or indecipherable entries will be deemed invalid.
8. Ballina Shire Council will verify all entries to ensure there are no duplicate receipts or receipts used by multiple entrants. Receipts will also be checked to ensure they are produced by participating businesses in the 'Lennox Head Golden Ticket: Shop to Win!' campaign, are a minimum value of \$20, and purchased within the Promotional Period.

9. Multiple entries per person permitted, provided that three different receipts are submitted.
10. If there is a dispute as to the identity of an entrant, Ballina Shire Council reserves the right, in its sole discretion, to determine the identity of the entrant.
11. The draw will take place at 40 Cherry Street, Ballina NSW 2478 on 30/11/2023 at 12:00pm (noon) AEST. Ballina Shire Council may draw additional reserve entries and record them in order in case an invalid entry or ineligible entrant is drawn. The winner will be announced by the Mayor Sharon Cadwallader on 1/12/2023. The winner will be contacted via email and phone within two (2) business days of the announcement. The winner's name will be announced live on the social channels (Facebook and Instagram) of Discover Ballina. The Winner's name will be published to the ***discoverballina.com.au*** website the first weekday following the announcement of the winning ticket.
12. Ballina Shire Council's decision is final and no correspondence will be entered into.
13. The first valid entry drawn will win a prize package 2023 Lennox Head Golden Ticket: Shop to Win! valued at \$3,000. Prize includes:
 - A \$3,000 prize to spend at five participating Lennox Head businesses. Five vouchers with a minimum spend of \$100 per voucher, with a maximum total combined value of \$3,000. The choice of businesses and value of vouchers is at the discretion of the winning entrant. The vouchers may not be redeemed for cash and any unused balance of the vouchers will not be awarded as cash. Redemption of the tickets is subject to any terms and conditions of the issuing business.
 - One (1) x \$3,000 Lennox Head Golden Ticket: Shop to Win! Ballina Shire Council will not be responsible for the winner should they not redeem their vouchers within the expiry period of the vouchers. Prize (vouchers) is subject to the standard terms and conditions of the service providers.
14. In the event of war, terrorism, state of emergency or disaster, Ballina Shire Council reserves the right to cancel, terminate, modify or suspend the promotion or suspend or modify a prize, subject to any written directions from a relevant regulatory authority.
15. Subject to the unclaimed prize draw clause, if for any reason the winner does not take / redeem the prize (or an element of the prize) at / by the time stipulated by Ballina Shire Council, then the prize (or that element of the prize) will be forfeited.
16. If the prize (or part of the prize) is unavailable, Ballina Shire Council, in its discretion, reserves the right to substitute the prize (or that part of the prize) with a prize to the equal value and/or specification, subject to any written directions from a regulatory authority.
17. The 2023 Lennox Head Golden Ticket: Shop to Win! prize is subject to the event venue and ticket terms and conditions, including any applicable age restriction, purchase requirements, and proof of purchase requirements. Ballina Shire

Council and event organisers hereby expressly reserve the right to eject the winner (and/or his/her companion) for any inappropriate behaviour, including but not limited to intoxication, whilst participating in any element of the prize.

18. Total prize pool value is \$3,000. The prize, or any unused portion of the prize, is not transferable or exchangeable and cannot be taken as cash.
19. The winner will be notified in writing by email and phone call on 4/12/2023 and must claim the prize within three (3) days of the draw. The winner must accept the prize by 12pm AEST on 07/12/2023 and nominate the five businesses and amounts where they want to spend their \$3,000 Golden Ticket, or promoter reserves the right to redraw. The winner's name will be announced online at **discoverballina.com.au** from 4/12/2023 by 5pm (AEST). A second draw for the prize, if unclaimed, may take place on 8/12/2023 at the same time and place as the original draw, subject to any directions from a regulatory authority.
20. Entrants consent to Ballina Shire Council using their name, likeness, image and/or voice in the event they are a winner (including photograph, film and/or recording of the same) in any media for an unlimited period without remuneration for the purpose of promoting this promotion (including any outcome), and promoting any products manufactured, distributed and/or supplied by Ballina Shire Council.
21. If this promotion is interfered with in any way or is not capable of being conducted as reasonably anticipated due to any reason beyond the reasonable control of Ballina Shire Council, including but not limited to technical difficulties, unauthorised intervention or fraud, Ballina Shire Council reserves the right, in its sole discretion, to the fullest extent permitted by law: (a) to disqualify any entrant; or (b) subject to any written directions from a regulatory authority, to modify, suspend, terminate or cancel the promotion, as appropriate.
22. Any cost associated with accessing the promotional website is the entrant's responsibility and is dependent on the Internet service provider used.
23. Nothing in these Terms and Conditions limits, excludes or modifies or purports to limit, exclude or modify the statutory consumer guarantees as provided under the *Competition and Consumer Act* (Cth), as well as any other implied warranties under the *ASIC Act* (Cth) or similar consumer protection laws in NSW ("**Non-Excludable Guarantees**").
24. Except for any liability that cannot by law be excluded, including the Non-Excludable Guarantees, Ballina Shire Council (including its respective officers, employees and agents) is not responsible for and excludes all liability (including negligence), for any personal injury; or any loss or damage (including loss of opportunity); whether direct, indirect, special or consequential, arising in any way out of: (a) any technical difficulties or equipment malfunction (whether or not under Ballina Shire Council's control); (b) any theft, unauthorised access or third party interference; (c) any entry or prize claim that is late, lost, altered, damaged or misdirected (whether or not after their receipt by Ballina Shire Council) due to any reason beyond the reasonable control of Ballina Shire Council; (d) any variation in prize value to that stated in these Terms and Conditions; (e) if the 2023 Lennox Head Golden Ticket: Shop to Win! Promotion is delayed, postponed

or cancelled for any reason beyond the reasonable control of Ballina Shire Council; (f) any tax liability incurred by a winner or entrant; or (g) use of the attendance at the prize event.

25. As a condition of accepting the prize, the winner (and his/her companion) must sign any legal documentation as and in the form required by Ballina Shire Council and/or prize suppliers in their absolute discretion, including but not limited to a legal release and indemnity form.
26. Ballina Shire Council collects personal information ("**PI**") in order to conduct the promotion and may, for this purpose, disclose such PI to third parties, including but not limited to agents, contractors, service providers, prize suppliers and, as required, to Australian regulatory authorities. Entry is conditional on providing this PI. Ballina Shire Council will also use and handle PI as set out in its Privacy Policy, which can be viewed at **ballina.nsw.gov.au/your-privacy** also contains information about how entrants may opt out, access, update or correct their PI, how entrants may complain about a breach of the Australian Privacy Principles or any other applicable law and how those complaints will be dealt with. All entries become the property of Ballina Shire Council. Ballina Shire Council will not disclose entrant's PI to any entity outside of Australia.
27. Ballina Shire Council (ABN 53 929 887 369) of 40 Cherry Street, Ballina NSW 2478 and 1300 864 444.