

FESTIVE LIGHTS COMPETITION 2022



TOWN OF PORT HEDLAND FESTIVE LIGHTS COMPETITION 2022 TERMS AND CONDITIONS OF ENTRY ('T&C')

General

- 1 The Town Festive Lights Competition 2022 ('**Competition**') is conducted by the Town of Port Hedland, 13 McGregor Street, Port Hedland ('**Town**') (ABN 19 220 085 226) during the Competition Period.
- 2 Registration for the Competition commences on 2 November 2022 at 9:00am AWST and concludes on 30 November 2022 at 5:00pm AWST ('**Registration Period**'). The Judging Panel will view and score the Property between 6:00pm and 11:00pm AWST on 5 December 2022, or the next practicable date ('**Judging Period**'). The public will vote for the People's Choice Winner between 8 December 2022 at 9:00am AWST and 21 December 2022 at 5:00pm AWST ('**Voting Period**'). Collectively, the Registration Period, Judging Period and Voting Period will form the Competition Period ('**Competition Period**').
- 3 Information on how to enter the Competition and other details contained within promotional advertisements for this Competition forms part of the T&C.
- 4 By entering the Competition, Participants agree to abide by the T&C.
- 5 This is a game of skill and the winning Festive Lights entry ('**Winner**') is announced on the Announcement Date based on the set criteria herein at the end of the Competition Period. There is no significant element of chance at any point in the Competition and the Winner is determined primarily on the basis of skill.
- 6 The Prize is not transferable.
- 7 The T&C of the Competition are governed by the laws of the State of Western Australia.
- 8 Entry to the Competition is free. Participants will be responsible for all costs associated with entering the Competition, which includes but not limited to the installation and the operation of the Festive Lights, and the using of the Prize.

Eligibility

- 9 The Competition is open to:
 - (a) Residents, 18 years of age and over, in relation to residential properties ('**Property**') in the Port Hedland local government district ('**Participant**') and;
 - (b) Businesses ('**Business**') in the Port Hedland local government district ('**Participant**').

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- 10 To enter the Competition, Participants must complete and return the Town prescribed Registration Form ('Registration Form') during the Competition Period.
- 11 On the Registration Form, the Participant must nominate their entry for either the Best Residential Display or the Best Business Display category.
- 12 The Registration Form is available on the Town's website <https://www.porthedland.wa.gov.au/our-community/events/festive-lights-competition-2022.aspx> or hard copy forms available at the South Hedland Library, the Port Hedland Library and the Town's Civic Centre.
- 13 Completed Registration Form will only be received during the Registration Period through the following methods:
 - (a) online through the Town's website <https://www.porthedland.wa.gov.au/our-community/events/festive-lights-competition-2022.aspx>
 - (b) electronically via email: events@porthedland.wa.gov.au ; or
 - (c) in-person to the South Hedland Library, the Port Hedland Library or the Town's Civic Centre.

Criteria

- 14 To enter the Competition, Participants must:
 - (a) complete and return the Registration Form during the Registration Period, with their nominated entry for either the Best Residential Display or the Best Business Display category;
 - (b) decorate their Property/Business with festive lights and / or decorations that are clearly visible from the street front;
 - (c) not be an employee of the Town, or a member of that employee's immediate family¹, except for People's Choice; and
 - (d) not be an employee of or any agencies associated with this competition, or a member of that employee's immediate family.²
- 15 Except for the Best Residential Display Prize Winner, the Best Residential Display Runner Up and Best Business Display category, all remaining Participants from the Best Residential Display category will automatically be included to participate in the People's Choice Winner Prize.
- 16 Participants agree to have their Property/Business address, name and / or photograph(s) of their decorated Property/Business published by the Town including but not limited to the publicly distributed Festive Lights Map.

Prize

- 17 The Prizes available for the Competition are as follows ('Prize'):
 - (a) 1 x \$850 cash for the Best Residential Display Winner;

1 Immediate family means parents, children, siblings, spouse or *de facto* partner residing at the same residential address as the employee.

2 As above.

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- (b) 1 x \$700 cash for the Best Residential Display Runner Up;
 - (c) Prize to the value of \$550 for the Best Business Display; and
 - (d) 1 x \$350 cash for the People's Choice Winner.
- 18 The Best Residential Display Winner, Best Residential Display Runner Up and the Best Business Display Winner will be announced on the Town's Facebook page on 7 December 2022, or the earliest practicable date. The People's Choice Winner will be announced on the Town's Facebook page on 22 December 2022, or the earliest practicable date (collectively the **'Announcement Date'**).
- 19 The Town will contact the Prize Winners and Runner Up by the email address and / or contact number supplied by the Participant on the Registration Form; and
- (a) in the event that the Prize Winner and / or the Runner Up is uncontactable, or the Prize Winner and / or the Runner Up does not collect their prize within 14 calendar days (or as otherwise agreed) from the Town, that Participant is assumed to have forfeited their Prize; and
 - (b) the Participant with the next highest total score of that respective category will be contacted at the soonest opportunity to receive the Prize instead.

Selection

- 20 The judging panel comprises of one Horizon Power representative and two Town of Port Hedland Staff Members (**'Judging Panel'**).
- 21 Prize criteria:
- (a) Best Residential Display Winner: will be selected by the Judging Panel scoring the Participant on a scale of 1 to 5 in the following three areas: first impression, creativity and design, and theme. Entrants that include sustainable features into their display will accrue additional points. The Participant with the highest total score is the Best Residential Display Prize Winner. The Participant with the second highest total score is the Best Residential Display Runner Up.
 - (b) Best Business Display Winner: will be selected by the Judging Panel scoring the Participant on a scale of 1 to 5 in the following three areas: first impression, creativity and design, and theme. The Participant with the highest total score is the Best Business Display Prize Winner.
- 22 The Judging Panel will view and score the Property between 6:00pm and 11:00pm AWST on 5 December 2022, or the next practicable date due to inclement weather or otherwise, and as notified by the Town (**'Judging Period'**).
- 23 In the event that there are two or more Participants scoring the highest total score for the Prize category, it is the Judging Panel's absolute discretion to determine the Winner and the Runner Up.
- 24 In relation to the People's Choice Winner Prize:
- (a) only residents residing in the Port Hedland local government district will be eligible to vote;
 - (b) voting will commence on 8 December 2022 at 9:00am AWST and close on 21 December 2022 at 5:00pm AWST (**'Voting Period'**);

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- (c) each eligible resident can only cast one vote for the People's Choice Prize;
- (d) votes will be received during the Voting Period through the following methods:
 - i. online through the Town's website <https://www.porthedland.wa.gov.au/our-community/events/festive-lights-competition-2022.aspx>
 - ii. electronically via email: events@porthedland.wa.gov.au ; or
 - iii. in-person to the South Hedland Library, the Port Hedland Library or the Town's Civic Centre.
- (e) the Participant who receives the highest number of votes will be the People's Choice Winner.

25 The Judging Panel's decision regarding the category Winner and Runner Up is final.

Publicity

- 26 The Participant grants the Town permission to publicly reference their Property, name and Facebook profile for publicity purposes without payment of additional consideration, except where prohibited by law.
- 27 Personal information provided for the purpose of entering this Competition will be collected, used and disclosed in accordance with the relevant privacy laws.

Indemnification

- 28 By entering and participating in the Competition, the Participant agrees to hold harmless, defend and indemnify the Town from and against any and all claims, demands, liability, damages or causes of action (however named or described), losses, consequential losses, costs or expenses, with respect to or arising out of or related to (i) participation in the Competition, or (ii) participation in any Prize related activities, acceptance of a Prize and/or use or misuse of a Prize (including, without limitation, any loss, property loss, damage, personal injury or death caused to any person(s)).

Third Parties

- 29 This Competition is sponsored by Horizon Power, Europcar, Pilbara Ports Authority and supported by North West Telegraph.
- 30 By entering and participating, the Participant agrees to hold harmless, defend and indemnify third parties including but not limited to Facebook and / or Horizon Power, Europcar and Pilbara Ports Authority from and against any and all claims, demands, liability, damages or causes of action (however named or described), losses, costs or expenses, with respect to or arising out of or related to (i) participation in the Competition, or (ii) participation in any Prize related activities, acceptance of a Prize and/or use or misuse of a Prize (including, without limitation, any loss, property loss, damage, personal injury or death caused to any person(s)).

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- 31 This Competition is in no way sponsored, endorsed, or administered by, or associated with Facebook or other any third parties.

Records

- 32 Records relating to this Competition will be maintained for a period of not less than twelve months from conclusion of the Competition Period and shall be made available to authorised officers upon request.

Variation

- 33 In the event of any conflicting provisions, this T&C takes precedence over the advertised information.

Acceptance

- 34 This T&C was last updated on 31 October 2022 and will not be changed, modified, or otherwise altered while the Competition is ongoing. Entering and participating in the Competition is a complete acceptance of the T&C.

Complaints

If you have any complaints in relation to the Competition, please contact the Town of Port Hedland via:

Email: council@porthedland.wa.gov.au

Telephone: +61 8 9158 9300

Post/In-person: Civic Centre, 13 McGregor Street, Port Hedland WA 6721

If you are not completely satisfied with the way the Town of Port Hedland has handled your complaint, you can escalate the matter to the:

Department of Local Government, Sport and Cultural Industries

Email: info@dlgsc.wa.gov.au

Telephone: +61 8 6552 7300

Post: PO Box 8349, Perth Business Centre WA 6849