

FESTIVE LIGHTS COMPETITION 2023



TOWN OF PORT HEDLAND FESTIVE LIGHTS COMPETITION 2023

TERMS AND CONDITIONS OF ENTRY ('T&C')

General

- 1 The Town Festive Lights Competition 2023 ('**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 15 November 2023 at 9:00am AWST and concludes on 6 December 2023 at 5:00pm AWST ('**Registration Period**'). The Judging Panel will view and score the Property between 6:00pm and 11:00pm AWST on 11 December 2023, or the next practicable date ('**Judging Period**'). The public will vote for the People's Choice Winner between 14 December 2023 at 9:00am AWST and 20 December 2023 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 primarily a game of skill and the winning Festive Lights entries ('**Winner**') are announced on the Announcement Date based on the set criteria herein at the end of the Competition Period.
- 6 There is an element of chance in relation to the Entrant Encouragement Prize.
- 7 The Prize is not transferable.
- 8 The T&C of the Competition are governed by the laws of the State of Western Australia.
- 9 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

- 10 The Competition is open to:
 - (a) Residents, 18 years of age and over, in relation to properties ('**Property**') in the Port Hedland local government district ('**Participant**')
- 11 To enter the Competition, Participants must complete and return the Town prescribed Registration Form ('**Registration Form**') during the Competition Period.

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- 12 To qualify for the Best First Year Display Category, Participants must confirm this is the first year they have entered a display in the annual Town of Port Hedland Festive Lights Competition.
- 13 The Registration Form is available on the Town's website <https://www.porthedland.wa.gov.au/events/festive-lights-2023/2831> or hard copy forms available at the South Hedland Library, the Port Hedland Library and the Town's Civic Centre.
- 14 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/events/festive-lights-2023/2831>
 - (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

- 15 To enter the Competition, Participants must:
 - (a) complete and return the Registration Form during the Registration Period, with their nominated entry for the Best Display.
 - (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 the Entrant Encouragement Prize; and
 - (d) not be an employee Horizon Power, or a member of that employee's immediate family.²
- 16 Except for the Best Display and Best Display Runner Up Display winners, all remaining eligible First Year Participants will automatically be included to participate in the Best First Year Display Winner Prize.
- 17 Except for the Best Display, Best Display Runner Up and Best First Year Display winners, all remaining Participants will automatically be included to participate in the People's Choice Winner Prize.
- 18 Except for the Best Display, Best Display Runner Up, Best First Year Display and People's Choice winners, all remaining Participants will automatically go into the draw to receive the Entrant Encouragement Prize.
- 19 Participants agree to have their Property address, name and / or photograph(s) of their decorated Property published by the Town including but not limited to the publicly distributed Festive Lights Map.

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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Prize

- 20 The Prizes available for the Competition are as follows ('Prize'):
- (a) 1 x \$1,500 cash for the Best Display Winner;
 - (b) 1 x \$750 cash for the Best Display Runner Up;
 - (c) 1 x \$750 cash for the Best First Year Display Winner;
 - (d) 1 x \$500 cash for the People's Choice Winner;
 - (e) 1 x \$250 cash for the Entrant Encouragement.
- 21 The Best Display Winner, Best Display Runner Up and the Best First Year Display Winner will be announced on the Town's Facebook page on 13 December 2023, or the earliest practicable date. The People's Choice Winner and Entrant Encouragement will be announced on the Town's Facebook page on 21 December 2023, or the earliest practicable date (collectively the '**Announcement Date**').
- 22 The Town will contact the Prize Winners 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 is uncontactable, or the Prize Winner 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

- 23 The judging panel comprises of one Horizon Power representative, one Pilbara Ports Authority representative and one Town of Port Hedland representative ('**Judging Panel**').
- 24 Prize criteria:
- (a) Best 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 Display Prize Winner. The Participant with the second highest total score is the Best Display Runner Up. The Participant with the highest score of all the remaining first-year Participants who has not won Best Display Winner or Best Display Runner Up will be the Best First Year Display.
- 25 The Judging Panel will view and score the Property between 6:00pm and 11:00pm AWST on 11 December 2023, or the next practicable date due to inclement weather or otherwise, and as notified by the Town ('**Judging Period**').
- 26 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 Best Display Winner, Best Display Runner up and Best First Year Display.
- 27 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;

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- (b) voting will commence on 14 December 2023 at 9:00am AWST and close on 20 December 2023 at 5:00pm AWST ('Voting Period');
- (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/events/festive-lights-2023/2831>
 - 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.

28 In relation to the Entrant Encouragement Prize, the Prize Winner:

- (a) Will be selected at random after 11:00am AWST on Thursday 21 December 2023 at the JD Hardie Community and Youth Hub;
- (b) will be contacted on the contact details the entrant provides;
- (c) must provide all information and supporting documents required to submit a Request for Sundry EFT Payment Form;
- (d) no proxies will be accepted and proof of identity may be required; and
- (e) if the Promoter cannot locate a prize winner and/or the prize winner does not provide all information and supporting documents within 14 days (or as otherwise agreed) of the previous draw, the Town will conduct a redraw as soon as practicable in accordance with these terms and conditions.
- (f) The Town's decision regarding the Prize Winner is final.

Publicity

- 29 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.
- 30 Personal information provided for the purpose of entering this Competition will be collected, used and disclosed in accordance with the relevant privacy laws.

Indemnification

- 31 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

- 32 This Competition is sponsored by and Horizon Power and Pilbara Ports Authority.

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- 33 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, and / or 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).
- 34 This Competition is in no way sponsored, endorsed, or administered by, or associated with Facebook or other any third parties.

Records

- 35 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

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

Acceptance

- 37 This T&C was last updated on 14 November 2023 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