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## **RULES FOR 'AUSSIE ART' ILLUSTRATION COMPETITION**

### **Competition Period and Operation**

The Aussie Art competition encourages Australian school children to get creative and submit an artwork and brief description of **'why Australia is the best place in the world?'** and ultimately showcase the Australian Spirit. ("*Competition*").

The Competition is operated by the State of New South Wales, Department of Premier and Cabinet ABN 34 945 244 274, trading as the Australia Day Council of New South Wales ("*ADCNSW*").

The Competition commences at 10.00am AEDST on Friday 1 November 2013 and concludes for judging at 11.59pm AEDST on Monday 17 February 2014 unless terminated earlier or extended, by ADCNSW in its absolute discretion. The ADCNSW may deal with entries it receives up to the date of termination of the Competition according to the Competition Rules. After 11.59pm AEDST on 17 February 2014, entries will still be received however will not be eligible for the prizes.

By completing a Competition Entry Form ("*Entry Form*"), and submitting your illustration, you may participate in the Competition and have the opportunity to have your illustration showcased and, to win the prize/s. By submitting an Entry Form, you agree that the terms of the Entry Form and the following Competition Rules (together the "*Competition Rules*") create a legally binding agreement between you and the ADCNSW.

### **Eligibility For Participation**

The Competition is open to all primary school children, attending years K to 6 in the 2013 School Year, living in Australia and to all Australian citizens living overseas.

The following persons and their spouses and immediate families are ineligible for the Competition:

- Members of the NSW Parliament;
- employees of the ADCNSW; and
- employees of the sponsors and partners of the ADCNSW.

All entrants must have consent from parent or legal guardian to enter, and the parent or legal guardian must agree to ensure that you comply with the Competition Rules. The ADCNSW reserves the right to request a signed consent form from the parent or legal guardian of a participant at any stage during the Competition. Parents or legal guardians will be required to accept the prize on behalf of the winner. Expenses or liabilities incurred by the parent or legal guardian to do this will not be covered by the ADCNSW.

### **How to Participate**

If a child wants to participate in this Competition, the parent/legal guardian and child must follow all of these steps:

**Option 1: Through the AUSSIEVAULT website**

1. Access the AUSSIEVAULT® website (www.AUSSIEVAULT.com.au) either directly or via the link at [www.australiaday.com.au](http://www.australiaday.com.au) ;
2. Login to the AUSSIEVAULT® website if already a registered user of the website, or register as a new user of the website. You can register via the links on [www.australiaday.com.au](http://www.australiaday.com.au) or directly on [www.AUSSIEVAULT.com.au](http://www.AUSSIEVAULT.com.au);
3. Select the Aussie Art Competition located 'In the Vault';
4. Read and accept the Competition Rules by clicking on the "Yes, I agree" button;
5. Select Yes, "my parent/guardian consents to my entry and the parent/guardian must agree", parent/guardian must include their contact details on the Entry Form;
6. Complete an Entry Form by including all mandatory information, including selecting the division and follow the directions to upload photographs that comply with the Competition Rules and meet the Competition criteria.
7. You will be notified by email to your email address specified in your registration that your entry has been received within 48 hours of submission of your entry. However, ADCNSW reserves the right, at its absolute discretion, not to upload an entry to this website, or within this period, for any reason, and to remove an entry at any time for any reason. The entrant may not be notified of this via email.

Participants may only submit new and original work in their entry to this Competition. Submissions must comply with this Competition Rules. The ADCNSW reserves the right, at its absolute discretion, to reject any submission that does not meet these requirements.

Competition information and the Entry Form are available via the links on [www.australiaday.com.au](http://www.australiaday.com.au) or directly on [www.AUSSIEVAULT.com.au](http://www.AUSSIEVAULT.com.au). There is no entry fee.

**Option 2: Through a participating school:**

1. Entry Form will be sent to the parent/guardian to read to Competition Rules on behalf of the child. The parent/guardian must fill out all mandatory information, agree to the Competition Rules and include their contact details on the Entry Form.
2. Entry Form, to be received by the school and collected, to be sent to the Australia Day Council of NSW.
3. Artwork to be created and collected through the school and coordinated by the teacher. It is to be presented on white, landscape sheet of A4 paper.
4. Teacher will collect the artwork and will send it to GPO Box 5341, Sydney, NSW 2001 by Competition end date.

### Option 3: Posting directly to the Australia Day Council of NSW:

1. Access the AussieVault website ([www.aussievault.com.au/aussieart](http://www.aussievault.com.au/aussieart)) to download the Aussie Art template and the entry form.
2. The parent/legal guardian to read the Competition Rules and make the child aware of the rules.
3. The parent/legal guardian must fill out all mandatory information, agree to the Competition Rules and include their contact details on the Entry Form. The Entry Form will need to be printed and posted with the Artwork.
4. Artwork to be created on the Aussie Art template printed on a white, landscape sheet of A4 paper.
5. Artwork and Entry Form to be sent to Australia Day Council of NSW, GPO Box 5341, Sydney, NSW 2001 by Competition end date.

Competition information and the Entry Form are available via the links on [www.australiaday.com.au](http://www.australiaday.com.au) or through participating schools. There is no entry fee.

### Divisions of Artwork

The major prize will be awarded to the entrant with the overall best illustration and accompanying description.

The major prize is:

9 Night Explore the Loyalty Islands P&O Cruise, departing on 8 July 2014 from Sydney for 2 adults and 2 children.

In addition, a prize will be awarded for the best illustration and accompanying description in each of the following divisions:

1. **Kindergarten-Year 2:** The prize is a 16GB iPad 2 RRP \$429.00 with \$100 iTunes credit.
2. **Year 3-Year 4:** The prize is a 16GB iPad 2 RRP \$429.00 with \$100 iTunes credit.
3. **Year 5-Year 6:** The prize is a 16GB iPad 2 RRP \$429.00 with \$100 iTunes credit.

For each division, the prize will go to the entrant on the Entry Form. The winner of the major prize must be able to travel on the specified departure date.

Divisions refer to your school year in 2013.

No child may win more than one prize.

If any prize (or part of any prize) is unavailable, the ADCNSW, at 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.

Prizes (including any unused portion of a prize), are not transferable or exchangeable and cannot be taken as cash.

The prize will only be awarded to a parent/legal guardian on behalf of the child.

Finalists may be given the opportunity to be featured in additional products and opportunities at the ADCNSW's discretion.

Finalists and winners may also receive exposure through media opportunities, showcased on digital screens, local council and State and Territory websites, social media and newsletters to promote Australia Day.

All travel, accommodation and any other arrangements of any kind required for the winner of the major prize and 1 parent/legal guardian to attend engagements in connection with the award will be determined by the ADCNSW at its absolute discretion. For the avoidance of doubt, no cash substitute will be provided.

### **Theme**

To celebrate Australia Day we are encouraging Australian children to exercise their creativity and draw a picture illustrating 'why Australia is the best place in the world?' to them and in 25 words or less tell us about their drawing.

### **Submission of Artwork**

The child may submit a maximum of two illustrations per person. The same image cannot be uploaded twice in multiple divisions. The parent or legal guardian is required to select the relevant division by ticking the relevant box on the Entry Form.

### **Artwork Specifications**

- .jpg, .gif, and .png files should range from minimum file size 500Kb to a maximum 8MB to facilitate easy uploading;
- The artwork can be in pencils, crayons, felt tip, paint;
- The artwork should be presented on a white, landscape sheet of A4 paper.

### **Image Upload Specifications**

Note that the following are not accepted for entry in the Competition:

- hardcopy, printed or scanned photographs;
- negatives;
- slides.

It is the parent/legal guardian and school's responsibility to comply the artwork to the specifications and, without limitation; the ADCNSW takes no responsibility for any artwork that have been sent incorrectly.

### **Acceptance of Entry**

Only the parent/guardian of the finalist will be notified by email. This will be sent to the email address specified in your Entry Form. If your email address changes in the course of the Competition, the parent/guardian will need to update the details with ADCNSW.

ADCNSW intends that the parent/guardian on behalf of the child meets the Competition Rules. Please note, only 10 illustrations from each division will be uploaded to the website.

In order to be considered for the divisional category prizes and the overall major prize must submit the child's entry by 11.59pm AEDST on 17 February 2014 (unless the Competition is terminated earlier or extended by ADCNSW).

Entrants should direct any request to correct or update any incorrect information to the Webmaster at [australiaday@dpc.nsw.gov.au](mailto:australiaday@dpc.nsw.gov.au).

Requests to delete one or more illustrations from a submitted entry or to delete an entry in its entirety may be made by contacting the Webmaster at [australiaday@dpc.nsw.gov.au](mailto:australiaday@dpc.nsw.gov.au). Note that where an entire entry is deleted further entries from that entrant may be prohibited at the ADCNSW's absolute discretion.

## Judging

### 1. Finalists

A judging panel formed at ADCNSW's discretion will judge the entries and select up to 10 Competition finalists (a smaller number of finalists may be selected) from each age division between the 17 February and 24 February 2014 ("Finalists"). Entries will be individually judged based on each child's ability to reflect the theme in ways which:

- are creative;
- are colourful;
- are fun;
- demonstrate knowledge of Australian history.

### 2. Winner/s

The winner/s of each age division will be selected by a creative judging panel and announced on the 28 March 2014.

ADCNSW will treat the child whose name appears on the Entry Form as the creator of the illustration submitted with the Entry Form. Only this person will be named as a Finalist or a winner in the Competition.

ADCNSW's decision is final and binding and no correspondence will be entered into.

Prize winners and Finalists agree to participate in any promotional activity promoting the ADCNSW, prize sponsors and/or the Competition, as may be reasonably requested by the ADCNSW.

You represent, warrant and agree that:

- you are eligible to enter the Competition;

- all the details in the Entry Form were true and correct at the date you submitted the Entry Form;
- you obtained permission from your parent/guardian to enter;
- you are the child who created the illustration you submitted to the Competition;
- your Material does not defame, misrepresent, contain disparaging remarks or other content that could adversely affect the name, reputation or goodwill of anyone or contain pornographic or hateful content that promotes violence or harm or other offensive, obscene or inappropriate content or contravene any other law;
- your Material complies with all other Competition Rules;
- you have obtained permission from each person recognisable in Your artwork to submit Your Material and for it to be used according to the Competition Rules, and for the ADCNSW to use their name and likeness to promote and advertise the Competition and the ADCNSW;
- your Material is not the subject of any other third party agreements that would prevent its use according to the Competition Rules or require ADCNSW or anyone else to pay any third party for this use.

You unconditionally indemnify ADCNSW (which term includes the State of New South Wales and the ADCNSW's officers, employees, contractors and agents), and must pay ADCNSW on demand the amount of, all losses, liabilities, expenses and taxes that ADCNSW may suffer (including the cost of settlement and any legal expenses on a full indemnity basis) because any of your representations or warranties are incorrect, you breach the Competition Rules, or because of a claim or proceeding by another person against ADCNSW that you have caused or contributed to.

### **Copyright ownership and consents**

As between you and the ADCNSW, you (and any others who contributed to the entry such as by supplying any copyright material that you create) retain ownership of any copyright in Your Material. You place material on this site at your own risk. The ADCNSW does not take responsibility for any unlawful or other use of entries or comments by any other person.

You must not post an image which features any other person, or to which others contributed such as by supplying any copyright material that you create, without their permission and unless they too have read and agree to these Competition Rules.

ADCNSW will, wherever reasonably possible, attribute an entry using the display name(s) supplied with the entry. However, to the extent permitted by applicable law, you (and any others who are featured in or contributed to the entry) agree that the ADCNSW may reproduce, publish, and communicate to the public Your Material with or without attribution of authorship. To the extent permitted by applicable law, you unconditionally and irrevocably consent, and will obtain all other necessary unconditional and irrevocable written consents, to additions to, deletions from and other alterations or modifications of, Your Material that would otherwise infringe moral rights established by the *Copyright Act 1968* (Cth) for the benefit of the ADCNSW, and any person claiming an interest in Your Materials through the ADCNSW.

You acknowledge and agree that the ADCNSW may require you to provide, or may themselves seek, further consents from persons whose name or likeness is featured in any image or who may have supplied copyright material included in your entry. The ADCNSW reserve the right to seek such consents at any time during the Competition including prior to and as a condition of the award of any prize.

### **Licence to use submitted artwork**

You grant to the ADCNSW an irrevocable, perpetual, royalty-free, transferable and worldwide non-exclusive licence (with the right to sub-licence) to reproduce, publish, communicate to the public, adapt, and otherwise exploit Your Material in all media whether known now or developed in the future (for example by displaying the entry on the ADCNSW website, the *AUSSIEVAULT*® website, on Facebook, Twitter, Youtube, Flickr or on any other website, publicly displaying your entry on a large format outdoor screens, or by communicating your entry to others by email, by mobile phone, by radio, television or print/online).

You grant to the ADCNSW an irrevocable, perpetual, royalty-free, transferable and worldwide non-exclusive licence (which includes the right to sub-license) to authorise others to view and reproduce Your Material for government, personal, commercial or in-house use. Current and future sponsors of ADCNSW may use entrant material in any way they choose to promote Australia Day events and programs.

You must obtain all necessary irrevocable, perpetual, royalty-free, transferable, worldwide, non-exclusive licences (which include the right to sub-license) in all material reproduced in the artwork you submit to the Competition, to enable the ADCNSW to exercise the rights granted to it by these Competition Rules.

### **Right to use names and likenesses**

If you submit an entry, you grant the ADCNSW the right to use (and to allow others to use) your name and likeness to promote and advertise the Competition, Australia Day nationally and the ADCNSW. However, the ADCNSW agrees not to use your name or likeness in connection with any commercial tie-ups, merchandising or for the direct or indirect endorsement of any product or service.

### **Exclusions and limitations of liability**

Except for any liability that cannot be excluded by law, the State of New South Wales (including, but not limited to, the ADCNSW's officers, employees, contractors and agents) excludes all liability (including negligence, and whether advised or aware of the possibility of that liability), 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 the Competition, including, but not limited to, where arising out of the following:

- (a) any technical difficulties or equipment malfunction (whether or not under the ADCNSW's control);
- (b) any theft, unauthorised access or third party interference;
- (c) any unauthorised use of submitted images;

- (d) any entry, illustration or prize claim that is late, lost, altered, damaged or misdirected (whether or not after their receipt by the ADCNSW) due to any reason beyond the reasonable control of the ADCNSW;
- (e) any variation in prize value to that stated in these Competition Rules;
- (f) any tax liability incurred by a winner or entrant; or
- (g) use of a prize.

## **Privacy and your Personal Information**

You are required to provide certain personal information to complete an Entry Form. Without your personal information, the ADCNSW cannot accept your Entry Form. You must give only accurate, complete and up-to-date information, and are solely responsible for ensuring that it complies with all applicable data protection and privacy laws.

This personal information will be collected and used according to the [www.australiaday.com.au](http://www.australiaday.com.au) Privacy Statement so that you may participate in, and the ADCNSW may administer, the Competition.

A copy of this Privacy Statement may be accessed at: [www.australiaday.com.au](http://www.australiaday.com.au)

Without limiting the [www.australiaday.com.au](http://www.australiaday.com.au) Privacy Statement, by completing an Entry Form you expressly consent to the ADCNSW providing your personal information to P&O Cruises and agree that P&O Cruises may use such information in order to contact you for the purposes of administering the Competition. ADCNSW will contact you directly should other external agencies or organisations request this information from ADCNSW.

If you have any questions about the application of the Privacy Statement or a request to access, or for the correction of, information held (for example because it is inaccurate, incomplete, out of date or misleading) please contact:

Australia Day Council of NSW

ATTN: Webmaster

GPO Box 5341

Sydney NSW 2001

Email enquiries can be directed to the ADCNSW Webmaster at: [australiaday@dpc.nsw.gov.au](mailto:australiaday@dpc.nsw.gov.au)

## **Disqualification and cancellation**

If you exceed the maximum number of submissions or you submit duplicate entries, you may be disqualified and your images deleted without notification and advised to resubmit according to the Competition Rules.

Your entry may not be accepted or may be disqualified at any time, if you do not complete all mandatory details in the Entry Form, you do not agree to the Competition Rules, or your entry does not comply with the Competition Rules.

If this Competition is interfered with in any way or is not capable of being conducted as anticipated for any reason beyond the reasonable control of the ADCNSW, the ADCNSW reserves the right, in its sole discretion, to the fullest extent permitted by law to:

(a) disqualify any entrant; or

(b) modify, suspend, terminate or cancel the Competition or any part of the Competition, ;

as appropriate.

Any cost associated with accessing the Competition website is your responsibility and is dependent on the internet service provider used.

You must not use any automated entry software or any other mechanical or electronic means that allows you to automatically enter repeatedly, and all entries submitted by this method are disqualified.

### **Giving effect to the Competition Rules**

You must do anything (including sign any document) to give full effect to the Competition Rules.

### **Governing law**

The laws in force in New South Wales, Australia, govern the Competition and the Competition Rules. You submit to the non-exclusive jurisdiction of the courts exercising jurisdiction in this State, and any courts that may hear appeals from those courts.

### **Confirmation of agreement**

- Yes, I have read and agree to the Competition Rules and the Prize Details page located at About the Competition. Where applicable, everyone else who is featured in or contributed to my entry has read and agrees to the Competition Rules and other terms of the Australia Day site.