

**COMMUNITY CHOICES PROGRAM
NOMINATION AND VOTING (“Promotion”)**

TERMS AND CONDITIONS

1. INTRODUCTION

- a) These Terms and Conditions govern the Promotion. Submitting a Nomination or a Vote in the Promotion or being allocated Funding is deemed acceptance of these Terms and Conditions.
- b) The Promoter will run the Program in conjunction with Good 2 Give to allocate funding for Eligible Participants in the Essential Energy Network area.

2. NOMINATIONS

- a) During the Nomination Period, a Nomination can be submitted by an individual accessing a link to the online nomination form (located on the Good2Give platform) via the Promoter’s Web Page.
- b) Each Nomination must be located within one of the 20 zones identified within Essential Energy’s network area
- c) Groups that qualify as Small Communities may also elect to enter into the Small Communities category simultaneously with a Nomination. The group must select to enter the Small Communities category at the time of their nomination as this does not occur automatically.
- d) Only one Nomination can be submitted by an individual per Group per zone. Qualification and entry into the Small Communities category occurs simultaneously with a Nomination and is not deemed to be a separate nomination.
- e) If a Nomination is submitted by an individual that does not represent the Group, the individual’s contact details will be shared with the Group.
- f) Nominations are deemed made at the time each Nomination is received by Good2Give on its database. The Promoter and Good2Give accept no responsibility for any late, lost or misdirected Nominations due to technical disruptions, network congestion or for any other reason (whether or not after their receipt by the Promoter).
- g) At the close of the Nomination Period, the Promoter will review all Nominations and those Nominations that meet the Promoter’s eligibility criteria will be confirmed as Eligible Participants and listed on voting site (located on the Good2Give platform) to receive Votes during the Voting Period.

3. VOTING

- a) During the Voting Period, Votes can be submitted by an individual accessing a link to the voting site (located on the Good2Give platform) via the Promoter’s Web Page.
- b) Only one Vote can be submitted by each individual in a 24-hour period.
- c) Votes submitted for an Eligible Participant will be tallied against their zone within the Essential Energy Network area. Where a Group qualifies as a Small Community, and elects to enter the Small Communities category, any Votes they receive will be simultaneously tallied against their Small Communities entry. Voting for a Small Communities category does not occur separately.
- d) Votes are deemed made at the time each Vote is received by Good2Give on its database. The Promoter and Good2Give accept no responsibility for any late, lost or misdirected Votes due to technical disruptions, network congestion or for any other reason (whether or not after their receipt by the Promoter).
- e) Voters must not vote on anyone else’s behalf and must use their own email address for the purposes of voting.

- f) The Promoter reserves the right to disqualify entries or suspend voting if it has reasonable grounds to suspect that fraudulent voting has occurred or if it considers there has been any attempt to rig the voting. Essential Energy has the right to substitute an alternative selection method at its absolute discretion.
- g) At the close of the Voting Period, all Votes will be totalled, and the Eligible Participants will be ranked in order of valid Votes received from highest to lowest (“validation period”) and the Funding allocated accordingly.

4. SUCCESSFUL NOMINATIONS

- a) Successful and unsuccessful Groups will be notified via email once the Voting Period has closed and the validation period has been completed.
- b) Groups will be notified if they have won the public vote and what the allocated grant amount will be. Groups who have won the public vote will need to pass a validation check verifying they are eligible to receive a grant. Groups who do not pass the validation check may be withdrawn from the program.
- c) During the validation period each Eligible Participant voted on may be required to provide a PHOTOCOPY of either a deposit slip or bank account header (with financial details covered) showing the BSB, account name and account number for the Group.
- d) It is requested that successful groups submit an online report advising the impact of the grant funds on the community once spent. The online report will be detailed in the successful email.
- e) Essential Energy may contact successful groups once funds are distributed for media purposes.

5. GENERAL

- a) The Promoter reserves the right to amend these Terms and Conditions at any time throughout the Promotion without notice.
- b) The Promoter may cancel the Promotion at any time for any reason and without notice.
- c) If, for any reason, the Promotion is not capable of being conducted as planned, the Promoter reserves the right to take such action it deems necessary in its sole discretion which without limiting the generality of the foregoing may include modifying, suspending, terminating or cancelling the Promotion.
- d) To the extent permissible by law, the Promoter excludes: (i) all warranties of any kind relating to these Terms and Conditions, whether implied, statutory or otherwise; and (ii) all implied terms of any kind relating to these Terms and Conditions, whether statutory or otherwise.
- e) Except for liability that cannot be excluded by law, the Promoter (including its officers, employees, and agents) excludes all liability for any personal injury; or loss and damage whatsoever (including loss of opportunity) whether direct, indirect, special or consequential whether in an action in contract, negligence or other tort, statute or otherwise, arising in any way out of or in connection with the Promotion of these Terms and Conditions.
- f) The Promoter reserves the right, in its sole discretion, to disqualify any individual who the Promoter has reason to believe has breached, or not fully complied with, any of these Terms and Conditions, tampered with or manipulated the entry or voting process, or engaged in any unlawful or other improper misconduct which may jeopardise the Promotion (including jeopardising the administration of the Promotion). The Promoter’s legal rights to recover damages or other compensation from such an offender are reserved.
- g) All Nominations and Votes become the property of the Promoter.
- h) The Promoter and Good2Give reserve the right to keep all results confidential.

- i) The Promoter is bound by the Australian Privacy Principles (“APPs”) in the *Privacy Act 1988* (Cth) and by submitting a Nomination or Vote in the Promotion, each individual is taken to consent to the Promoter’s privacy policy which contains information, amongst other things, about how the individual may access personal information that is held by the Promoter about the individual and seek correction of such information. See www.essentialenergy.com.au/privacy to access the Promoter’s Privacy Policy.
- j) The Promotion and these Terms and Conditions are governed by the laws of New South Wales and each individual submits to the exclusive jurisdiction of the courts of that State.

6. DEFINITIONS

- a) **Eligible Participant** means those Participants who, at the close of the Nomination Period, are confirmed to meet the Promoter’s eligibility criteria and are listed on the voting site (located on the Good2Give platform) to receive Votes during the Voting Period.
- b) **Essential Energy Network area** means those regions within the 20 zones identified on the attached map.
- c) **Funding** means a total funding pool of \$175,000 to be allocated within the Essential Energy Network area as outlined below.

The regions within the 20 zones of the Essential Energy Network area will receive a portion of the total funding pool, being \$8,500, to be allocated to the first six Eligible Participants for each zone ranked in order of valid Votes received from highest to lowest as follows:

- First funding allocation: \$2,500;
- Second funding allocation: \$2,000;
- Third funding allocation: \$1,500;
- Fourth funding allocation: \$1,000;
- Fifth funding allocation: \$900; and
- Sixth funding allocation: \$600

The remaining \$5,000 of the total funding pool will be allocated to the Small Communities which will be split equally (i.e. \$500 each) to the top 10 Eligible Participants in the Small Communities category ranked in order of valid Votes received.

Groups ranked as the first six Eligible Participants that are allocated funding within the 20 zones may also be eligible to be allocated Small Communities funding, provided they qualified and submitted an entry that is ranked in the top 10 Eligible Participants in the Small Communities category.

- d) **Good2Give** means Good2Give ABN 32 089 603 314 of 12 Holtermann St, Crows Nest, NSW, 2065, being the chosen grants partner who will facilitate the operation of the Promotion by the Promoter
- e) **Group** means charity, registered not-for profit group or community group
- f) **Nomination** means a nomination submitted during the Nomination Period for a Participant to be confirmed as an Eligible Participant. Nomination need to be submitted online via the online nomination form - <https://essentialenergy.good2givegrants.org>
- g) **Nomination Period** means the period opening at 9am on Monday 12 April 2021 and closing at 5pm on Monday 10 May 2021.
- h) **Participant** means charities, registered not-for-profit groups and community groups operating within sectors including, but not limited to education, arts, diversity, environment and health and well-being who are located within the Essential Energy Network area.
- i) **Program** means the *Community Choices* Program run by the Promoter to provide funding opportunities to Eligible Participants across the Essential Energy Network area.
- j) **Promoter** means Essential Energy ABN 37 428 185 226 of 8 Buller Street, Port Macquarie NSW 2444.
- k) **Promoter’s Web Page** means www.essentialenergy.com.au/choices

- l) **Small Communities** means Groups located in the Essential Energy Network area with a population less than 20,000 people.
- m) **Vote** means a vote submitted during the Voting Period for an Eligible Participant to have an opportunity to receive Funding. Votes need to be submitted online via the voting site - <https://voting.essentialenergy.good2give.ngo>
- n) **Voting Period** means the period opening at 9am on Tuesday 18 May 2021 and closing at 5pm Monday 31 May 2021.