

Show	TODAY SHOW	Promotion	HAL APPLES AUSTRALIA'S HEALTHIEST SCHOOLS COMPETITION		
Service Provider	N/A	Version	2010.01	Date	19/04/10

**TODAY SHOW – HAL APPLES AUSTRALIA'S HEALTHIEST SCHOOLS COMPETITION –
GAME OF SKILL**

CONDITIONS OF ENTRY

1. Information on how to enter and prizes form part of these Conditions of Entry. Entries not completed in accordance with the Conditions of Entry or received after close of entry will not be considered. Incomplete or inaudible entries will be disregarded. The judge's decision in relation to any aspect of the promotion is final and binding on every person who enters. No correspondence will be entered into.
2. The promotion is open to people who are residents of Australia who are associated with an Australian primary or high school, except for employees of the Promoter, ACP Magazines Ltd, ninemsn Pty Ltd, Ticketek Pty Ltd, 5th Finger Pty Ltd and their immediate families, and all companies and agencies associated with this promotion. The promotion is open to all schools located and registered in Australia. For the removal of doubt, in this promotion a "school" is deemed to be an institution for educating persons for all or any of the years between kindergarten and year twelve. The "school" must also be registered with their state/ territory Board of Education/ Education Department.
3. The promotion commences on **Monday 19th July 2010 at 0530 AEST** and all entries must be received by last mail on **Friday 6th August 2010 last mail for postal entries or 16:00 AEST for email entries. ("Promotional Period")**.
4. There is one Promotional Period. All valid entries received within the entry period will be included in the judging. The promotion will be judged by a panel of judges appointed by the Promoter. Judging will begin on Friday 6th August 2010 at 1700 AEST and will take place at the promoters premises. Any entries received after the promotional period concludes will be disregarded. All entries are deemed to be received at the time of receipt by the Promoter and not at the time of transmission or post by the entrant.
5. The promotion is a game of skill and chance plays no part in determining the winner. Each entry will be individually judged based on a combination of literally and creative merit and originality. There will be one (1) winner selected. The Winner will be notified by telephone and mail using contact details provided in their entry. For the removal of doubt the entrant is deemed to be the school participating in the promotion. Any person/ persons named in an entry will be deemed to be a representative of the entrant school.
6. The best school as determined by the judges will be selected on Monday 9th August 2010 and will be published in the Australian on Thursday 12th August 2010.
7. There are two ways of entering the promotion:

To be valid, entrants must send a 60 second video detailing "why their school is the Healthiest school in Australia". Each entry must include the entrants (schools) name, contact details (including address, daytime telephone number and contact details of a nominated person (to correspond with in the event the school is deemed the winner). All entries must include Apples within their videos.

Send your completed entry by either mail or email to:

a. Email

Email their entry to:

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todaycompetitions@nine.com.au

All file sizes must not exceed 6MB and must be in Video format.

b. Post

Send their entry to:

Today Show
 Healthiest School in Australia competition
 PO BOX 27
 WILLOUGHBY NSW 2068

We are only able to accept clips in VHS, mini DV, DVD Video, and DVD ROM formats. DVD ROM must be in avi format and saved in full resolution (720x576 @ 25 frames per second)

AND must not be:

- Late;
- Delayed;
- Incomplete;
- Incomprehensible;
- Unlawful;
- Obscene;
- Defamatory;
- Libellous;
- Threatening;
- Pornographic;
- Harassing;
- Hateful;
- Racially or ethnically offensive;
- Capable of encouraging of conduct that would be considered a criminal offence;
- Capable of violating any law
- Capable of giving rise to civil liability

8. Method in which apples are included in each in each entry is left to the creativity of the entrant.
9. Multiple entries permitted, subject to the following each entry must be (a) submitted in accordance with entry requirements; (b) submitted separately via email or post and (c) unique.
10. The Promoter is neither responsible nor liable for any late, lost or misdirected entries or mail, or entries not received by the promoter for any reason whatsoever.
11. Video recording entry submitted is to be no more than 1 minute in length. Where entries have a duration greater than 1 minute, the judges will cease watching entries at the two minute mark and will judge the entry based on 60 seconds of the footage they have seen. The exact determination of which 60 seconds of the footage seen by the judges will be included in the judging will be determined by the Promoter in its complete discretion.

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12. The promoter will not be liable for any breach of copyright. The entrant will be solely responsible for their own entry and the consequences of submitting them. The entrant represents and warrants that:

Their entry is their own and:

- a) They own or have all necessary licences, rights, consents and permissions to use and authorize the promoter to use all patent, trademark, trade secret, copyright or other proprietary rights in and to any and all entries to enable inclusion and use of the entries in the manner contemplated by these terms and conditions; and
- b) They have the written consent, release, and/or permission of each and every identifiable individual person in the entry to use the name or likeness of each and every such identifiable individual person to enable inclusion and use of the entry in the manner contemplated by these Terms and Conditions.

Entrants retain all of their ownership rights in their entries. However, by entering the Promotion, entrants hereby grant the Promoter a worldwide, non-exclusive, royalty-free, sublicenseable and transferable license to use, reproduce, distribute, prepare derivative works of, display and perform the entry in connection the Promoter and the promoters companies including without limitation for promoting and redistributing part or all of the Website in any media formats and throughout any media channels.

The Promoter reserves the right at its absolute discretion to remove any entrant's entry without prior notice if they are deemed to have infringed copyright and/or intellectual property rights.

Entrants acknowledge that their entry may be announced and broadcast on Television along with their name.

Entry is free. Upon entering the competition the entrant understands that they may incur postage costs and any internet charges during entry.

Postage entries will not be returned to the entrants.

13. The best entry, as determined by the judges', will receive \$25,000 cash for their nominated school thanks to HAL Apples. (Horticulture Australia Apples and will have a weather segment of the Today Show filmed live at their school with Steve Jacobs presenting. Date and time of filming of the weather segment is subject to production schedules of the Today Show and will be determined by the Promoter in its complete discretion. In the event that for any reason whatsoever Steve Jacobs is unable to film the live weather segment on the date and time stipulated by the Promoter, then the Promoter reserves the right to substitute his role/ services with another representative of the Nine Network. Choice of representative of the Nine Network will be determined by the Promoter in its complete discretion.. It is a condition of accepting the prize that the winning school provide the Nine Network with access to the school grounds and all necessary permission required to film the live weather segment.
14. Total prize value is \$25,000 including GST. The cash component of the prize will be awarded in the form of a cheque made in favour of the winning school.

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15. It is a condition of entry that all entrants agree to sign (or have a representative of their school sign on their behalf) any and all legal documentation provided to them by the Promoter. Form of legal documentation and release will be determined by the Promoter in its complete discretion.
16. All prizes must be taken as offered. The prize, or any unused portion of the prize, is not transferable or exchangeable. The prize is not valid in conjunction with any other offer. The prize is valued in Australian dollars. The Promoter accepts no responsibility for any variation in the prize value. Prize winners are advised that tax implications may arise from their prize winnings and they should seek independent financial advice prior to acceptance of their prize. In the event that a portion of the prize is awarded to the winner in the form of a letter/ cheque, redemption of the prize will be subject to the terms and conditions stipulated in the accompanying letter and that of the financial institution of which the cheque is provided/ banked. The Promoter will not be liable for any letter/ cheque that has been lost, stolen, forged, damaged or tampered with in any way.
17. It is a condition of accepting a prize that the winner agrees to be interviewed, photographed and filmed at any time during the acceptance of the prize by the Promoter or their agents for a story or feature on this promotion to be developed and featured on the Nine Network (or any other form of media it deems suitable) without further remuneration or reference to the participant. Details may feature on Nine Network on a date to be determined by the Promoters. The inclusion of any such feature (including but not limited to creative control of the feature) will remain with the Promoter at all times.
18. The Promoter reserves the right to verify, at any time during or after the closing of the promotion, the validity of all entries and to disqualify any entrant who tampers with the entry process, including techniques designed to avoid payment of call costs. The use of any automated entry software or any other mechanical or electronic means that permits the participant to automatically enter repeatedly are not valid and will not be accepted.
19. The Promoter is not responsible for any incorrect or inaccurate information, either caused by the phone user or for any of the equipment or programming associated with or utilised in this competition, or for any technical error, or any combination thereof that may occur in the course of the administration of this competition including any omission, interruption, deletion, defect, delay in operation or transmission, communications line or telephone, mobile or satellite network failure, theft or destruction or unauthorised access to or alteration of entries.
20. If for any reason this competition is not capable of running as planned (including but not limited to) technical failures, unauthorised intervention, fraud or any other causes beyond the control of the Promoter which corrupts or affect the administration, security, fairness, integrity or proper conduct of this competition, the Promoter reserves the right in its sole discretion to disqualify any individual who tampers with the entry process, and, subject to any written directions given by the various Lottery Departments, to cancel, terminate, modify or suspend the competition.
21. All entries and other information provided in the course of this competition become the property of the Promoter and the Sponsor. The collection, use and disclosure of personal information in connection with this promotion are governed by the Promoter's Privacy Notice available from Channel 9 and these Conditions of Entry. The Promoter may use information it collects in relation to you to provide you with information regarding further offers, promotions or goods and services provided by the Promoter and/or the Promoter's

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partners and sponsors. The Promoter may also disclose information about you to its service providers to enable the Promoter to provide you with services. Your personal information may be disclosed to State and Territory lottery departments and winners' names published as required under the relevant lottery legislation. You consent to the Promoter's use and disclosure of information about you as contemplated by this condition. To remove your information from the Promoter's records, please send an email to competitions@nine.com.au with your name, mobile phone number and your request to cancel the service. If you wish to update or modify your details, please email competitions@nine.com.au with your name, mobile phone number and your request to update or modify your details.

22. To the full extent permitted by law, The Promoter will not be liable to you in respect of any claim for any loss or damage whatsoever (including, without limitation, any consequential, indirect, special, punitive or incidental damages) or for any personal injury suffered by you as a result of or in connection with the Promoter's provision of the Service. Certain legislation may imply warranties or conditions or impose obligations (collectively Provisions) in relation to the Promoter's provision of services to you which cannot be excluded, restricted or modified except to a limited extent. If those Provisions apply, to the extent that the Promoter is entitled to do so, the Promoter's limits its liability in respect of any claim under those Provisions to, at the Promoter's option, the supply of the relevant services again or the payment of the costs of having the services supplied again.
23. By entering the competition, the entrant consents to receipt of any email regarding the competition, and other emails which inform the entrant of the Promoter's other publications, products, services and events and to promote third party goods and services it may be interested in.
24. The Promoter is Nine Network Australia Pty Limited, ABN 88 008 685 407 of 24 Artarmon Rd, Willoughby, NSW 2068. You can contact the Promoter in relation to the promotion by mail to this address or by telephone to (02) 9906 9999.