

headspace Fundraising Event Agreement – Terms and Conditions – Queensland

Thank you for considering raising funds for **headspace** National Youth Mental Health Foundation Ltd (ABN 26 137 533 843) (**headspace, we**). We greatly appreciate all support from both individuals and organisations. Your support means that we can continue our work of providing mental health and wellbeing support, information and services to young people and their families across Australia.

Please read through these Terms and Conditions (**Terms**) carefully, as these Terms, together with any approval granted to you by headspace (**Approval**) will govern your headspace fundraising event. Together, the Approval and these Terms are called 'this **Agreement**'.

Compliance with Fundraising Laws

All fundraising events in Queensland must be conducted in accordance with the *Collections Act 1966* (Qld) and the *Collections Regulation 2008* (Qld) (the **Fundraising Legislation**). Among other things, the Fundraising Legislation requires:

- You, or any participants involved in the headspace fundraising event not to be misleading or deceptive or unreasonably annoy or intimidate any person approached during the headspace fundraising event;
- You to comply with all requirements relating to armbands and badges issued by headspace, including ensuring they are signed and worn prominently by each participant when collecting;
- If envelopes are used for collections, they must have a gummed flap by which they can be securely closed and only envelopes that have been closed can be accepted by a collector;
- If collectors are to be paid, they must prepare a written itinerary of all towns and suburbs they propose to visit and the proposed dates they will be visiting and supply this to the Office of Fair Trading at least 14 days before the proposed start of the visits;
- You to comply with all requirements relating to collection boxes, including that they must be securely constructed, sealed, numbered for identification and clearly labelled with headspace's name;
- a collector for a door to door or street collection must not visit any house before 9am or after 5pm on any day.

headspace holds a licence under the Fundraising Legislation and may authorise another person to conduct a fundraising event for its benefit.

Even if you are exempt from the Fundraising Legislation, headspace's authorisation is granted subject to you conducting the headspace fundraising event in accordance with the Fundraising Legislation.

We recommend you contact the [Office of Fair Trading](#) to understand your duties under the Fundraising Legislation.

You must comply with the Fundraising Legislation and all other relevant laws and obtain all necessary consents, approvals or permits for the headspace fundraising event.

Approval

To begin fundraising for headspace, you must first make an application using the Application Form on the headspace website. headspace will assess your application and **may** issue you with an Approval. The completed Application Form will form part of the Approval and you warrant that the information you provide in the Application Form is accurate. You will not be able to conduct fundraising for headspace's benefit unless and until you have received the Approval and you have agreed to its terms.

Fundraising with headspace

Unfortunately, headspace is not able to take an active role to help you conduct your fundraising event. You will be solely responsible for all aspects of your headspace fundraising event, including all organisation, management, financials, fundraising, ticket sales, publicity and record keeping.

You agree to provide headspace with any reasonable updates and acknowledge that any changes made from the original fundraising event from which you received the Approval, may result in headspace issuing a new Approval or revoking your Approval.

Any potential supporters for your headspace fundraising event (including organisations), must be approved by headspace.

The word "headspace" and that fact headspace is registered under the Fundraising Legislation must be specified at all times during the headspace fundraising event.

You must not do anything that may reasonably be expected to damage the goodwill, reputation, or integrity of headspace.

Minors

You acknowledge that the Fundraising Legislation contains specific requirements that will apply if minors are to participate in the headspace fundraising event. Among other things, these requirements relate to the types of consent required for child participation and supervision requirements.

You agree that if minors are to participate in the headspace fundraising event, you will comply with all applicable requirements contained within the Fundraising Legislation.

Records

You must retain true and accurate records in relation to all aspects of the headspace fundraising event including for income and expenditure, any receipts issued, receipts for all expenses, any consents or approvals or authorities obtained, and of each person to whom you issue an armband or badge.

Fundraising financials

You agree that any money or benefit raised during the headspace fundraising event will be applied according to the objects and purposes of the headspace fundraising event.

You agree that you will not retain any part of the profits raised or other benefits obtained during the headspace fundraising event. As soon as possible, all monies received from the headspace fundraising event must be given to headspace.

After headspace has received the money, it will pay to you your reasonable expenses. headspace can determine, at its discretion, what expenses are a reasonable expense.

You must issue a receipt for any monetary donation and issue the receipt on the carbon copy or numbered butt principle.

All records retained must be given to headspace within 7 days after the headspace fundraising event concludes.

Use of headspace logo

As part of your Approval, you may be given a non-exclusive, revocable license to use the headspace logo during your fundraising event (**Licence**). You acknowledge that all rights in and to the logo are the property of headspace.

If headspace grants you a Licence:

- The headspace logo must only be used by you in connection with your headspace fundraising event, and subject to any further condition specified in the Approval.
- You must not, nor permit a third party to, manufacture for sale or supply a product containing the headspace logo.
- You must not permit a third party to use the headspace logo.
- You must not alter the headspace logo in any way, including its proportions.
- headspace must approve any use of its logo, including as part of any artwork, description, or information, before it is published and released.

- headspace may require any publications or materials containing the logo to be removed from circulation at any time in its absolute discretion.

Media

You are responsible for generating your own publicity. You acknowledge that you are not able to comment on behalf of headspace. If the media requires any information relating to headspace, they must contact headspace.

Liability and indemnity

You acknowledge that headspace is not liable for any of your actions, including any expenses you incur relating to the headspace fundraising event. You agree to indemnify headspace against any claims which may arise as a result of the headspace fundraising event, the use of the headspace logo or a breach of this Agreement.

Termination

This Agreement will be terminated upon the earliest of the expiry date specified in your Approval, another date agreed between you and headspace, or the date headspace revokes the Approval for your headspace fundraising event.

headspace can revoke the Approval for your headspace fundraising event at any time at its absolute discretion.

If headspace revokes your Approval or this Agreement otherwise terminates, you must immediately cease the fundraising event and stop promoting the fundraising event, and within 7 days, provide headspace with all money, books, vouchers, or other things held or controlled by you by virtue of the authority provided to you by headspace to conduct the headspace fundraising event.