

headspace Fundraising Event Agreement – Terms and Conditions – Western Australia

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 Western Australia must be conducted in accordance with the *Charitable Collections Act (1946) (WA)*, *Charitable Collections Regulations 1947 (WA)* and *Street Collections (Regulation) Act 1940 (WA)* (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;
- if you intend to conduct a street collection in the Perth metropolitan area, you must obtain a street collection permit;
- collectors to wear an identification badge bearing the name of the permit holder in a conspicuous place at all times while taking part in a collection;
- you must not allow collectors to be under the age of 16 years;
- 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 and the date of the collection;
- a collector must not visit any house on a Sunday or public holiday or before 9am or after 6pm on any day or telephone a person for the purpose of collecting on a Sunday or public holiday or any other day before 9am or after 8pm.

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 [Department of Mines, Industry Regulation and Safety](#) 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.

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.

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 agree that all staff or volunteers engaged for the headspace fundraising event are suitably qualified and of a proper character. Any potential supporters for your headspace fundraising event (including organisations), must be approved by headspace.

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

Street collection permit

You acknowledge that if the headspace fundraising event contains street collection in Perth you are required under this Agreement to obtain a street collection permit.

You must comply with all of the conditions attached, and requirements under the Fundraising Legislation in relation to, the street collection permit.

Records

You must keep true and accurate records in relation to all aspects of the headspace fundraising event, including all income and expenditure of the headspace fundraising event, receipts for all expenses and approvals, permits, or authorities obtained or issued and in relation to any identification cards or badges issued, any collection boxes or similar devices used and all receipt books used.

You must keep these records for 7 years after the end of the financial year to which they relate, and they must be given to

headspace within 7 days after the headspace fundraising event concludes.

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 to pay any money received in the course of the headspace fundraising event, before the deduction of any expenses, as soon as possible to headspace. headspace will then 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.

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 you are not an agent of headspace and 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 headspace's 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.