

Penfolds Derby Day Sweepstakes Promotion

Terms and Conditions

Promoter	Treasury Wine Estates Australia Limited (ABN 78 145 321 320), Level 8, 161 Collins Street, Melbourne VIC 3000.
Who can enter?	<p>Only Australian residents (excluding the Northern Territory) who:</p> <ul style="list-style-type: none"> • are aged 18 or over; and • are invited by the Promoter to enter and receive an official promotional pack from the Promoter before 30/10/2021.
Who can't enter?	<p>Directors, officers, management and employees (and their immediate families) of:</p> <p>(a) the Promoter; and</p> <ul style="list-style-type: none"> • the agencies, companies or participating premises associated with this promotion.
How many entrants will there be for the Penfolds Derby Day Sweep?	<p>There will be 360 entrants selected to take part in the Penfolds Derby Day Race Sweep. Entrants will be selected by the Promoter in its absolute discretion.</p> <p>The Penfolds Derby Day Race Sweep will coincide with the official 2021 Penfolds Derby Day Race at Flemington Racecourse, Melbourne on 30/10/2021 (the Race).</p> <p>Prior to the Race, the Promoter will print 18 lots of the numbers 1 to 20 (each number 1-20 represents the barrier numbers for the final field in the Race) (Sweep Number). The Promoter, in no particular order or using a specific method, will randomly distribute the Sweep Numbers to entrants. The Promoter will record a list of who receives each Sweep Number.</p>
How do entrants take part in the Penfolds Derby Day Sweep?	<p>Entrants must:</p> <ol style="list-style-type: none"> 1. before the day of the Race, receive from the Promoter an official Penfolds Derby Day Sweepstakes promotional pack which will be sent by mail/courier; <p>(b) open the promotional pack to reveal their Sweep Number;</p> <p>(c) the horse in the final field that runs from the barrier number in the Race that corresponds to the Sweep Number you've received in the promotional pack will be the horse that is allocated to you (for example, if your Sweep Number is 1 your horse will be the one running from barrier 1 in the Race); and</p> <p>(d) watch the Race to see if your allocated horse wins the Race.</p> <p>For the avoidance of doubt, the horse/jockey number does not determine the horse that is allocated to an entrant.</p> <p>If a horse is at any time scratched, disqualified or does not participate in the Race for any reason what so ever, the entrant will not be allocated a substitute horse. If a horse is scratched from the Race, the entrant will receive a consolation prize being a \$50 Koko Black gift voucher.</p>
What can I win?	<p>There will be 18 winners determined in respect of this promotion.</p> <p>Each entrant who holds the Sweep Number corresponding to the horse that officially wins 1st place in the Race, they will receive a 750ml bottle of Penfolds Bin 389 valued at \$100.</p> <p>Max 1 prize per person.</p>

	<i>The Race is subject to a pandemic, any government restrictions/directives, border closures, health advice and the like. If the Race does not go ahead at Flemington Racecourse on 30/10/2021 for any such reasons, the Penfolds Derby Day Sweep will also not proceed.</i>
Total prize pool	The winning prize pool is valued at \$1,800.
How many times can I enter?	You can only enter once.
How and when will the winner/s be informed?	Winners and any consolation prize winners will be confirmed by email and/or SMS after the Race. Prizes will be sent to the winner's Australian residential address.
Proof of entry	You must keep the Sweep Number in order to claim your prize or consolation prize. If you don't produce the Sweep Number when asked, the Promoter may disqualify your entry and you will lose any right to a prize.
Unclaimed prize/s	Prize claim date: 5.00pm (AEDT) on 30/11/2021. If a prize has not been accepted or claimed by the prize claim date above or if, after making all reasonable attempts, the Promoter can't contact a winner (or a winner does not contact the Promoter) by the prize claim date above, the relevant entry/ies will be discarded and the prize will be forfeited. If any prize remains un-won at the end of this competition, or if a prize winner cannot be found, that information will be published at Penfolds.com/derbyday on 10/12/2021.
Collection and use of your personal information	If you are a winner, you must take part in all publicity, photography and other promotional activity as the Promoter requires, without any compensation. You consent to the Promoter using your name and image in any promotional or advertising activity. The information you provide will be used by the Promoter for the purpose of conducting this competition and fulfilling the prize. The Promoter may collect your personal information (including through its contractors or agents) and disclose your personal information to its contractors and agents to assist in conducting this competition or communicating with you. If you have marked the "opt-in" box on the entry form, you consent to the Promoter keeping your personal information on its database to use for future marketing purposes, including contacting you by electronic messaging. The Promoter is bound by the Privacy Principles in the Privacy Act 1988. You/your companion/s can request access to the personal information the Promoter holds about you by contacting the Promoter at the address stated in the Promoter section of these conditions. The Promoter's Privacy Policy, located at www.tweglobal.com/privacy , contains information about: <ol style="list-style-type: none"> 1. how you/your companion/s can seek access to the personal information the Promoter holds about you/them and seek the correction of such information; <p>(e) how you/your companion/s can complain about a privacy breach and how the Promoter will deal with such a complaint; and</p> <p>(f) whether the personal information the Promoter holds about you/your companion/s will be provided to overseas companies, and if so, in which countries those companies are located.</p>
Responsible drinking	Enjoy alcohol responsibly. Consider the safe drinking levels recommended in the National Health and Medical Research Council Australian Guidelines to Reduce Health Risks from Drinking Alcohol – see: www.nhmrc.gov.au/about-us/publications/australian-guidelines-reduce-health-risks-drinking-alcohol . If this competition is conducted in NSW: See also the NSW Liquor Competition Guidelines and Intoxication Guidelines at www.liquorandgaming.nsw.gov.au/documents/gl/gl4001-liquor-promotion-

guidelines.pdf . Where relevant, your participation in this competition may be subject to the liquor serving policy of businesses conducting the competition and/or providing the prize.
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1. These Terms and Conditions incorporate and must be read together with the details outlined in the table above. Information about prizes and how to enter forms part of these Terms and Conditions. By entering, you accept these Terms and Conditions.

Entry

- Your entry will be deemed to be received only when received by the Promoter. Where relevant, promotional material or Sweep Numbers from any other competition cannot be used for this competition, and are void if copied, forged, stolen or interfered with. Where relevant, submitted entry forms are the Promoter's property. The Promoter is not liable for any problems with communications networks. You are responsible for your own costs associated with entering. If you enter using automatically generated entries or multiple phone numbers/email addresses/addresses/aliases, you may be disqualified.

Prizes

- Prize/s and all elements of prize/s must be taken as and when offered or will be forfeited, and if forfeited, the Promoter will not be liable. Prize/s are subject to any additional terms and conditions imposed by the relevant supplier or the Promoter, including any validity period/s.
- The Promoter is not responsible for any dispute between you and any person with whom you choose to, or choose not to, share a prize.

General

- Any failure by you to comply with the conditions imposed by the prize supplier(s) may result in the prize being cancelled or withdrawn without liability for the Promoter or the prize supplier(s).
- If you or your entry are deemed by the Promoter to breach these Terms and Conditions, your entry (or at the Promoter's discretion, all of your entries) may be discarded. The Promoter may, at any time, require you to produce documentation to establish to the Promoter's satisfaction the validity of your entries (including documentation establishing your identity, age, place of residence and place of employment). Failure by the Promoter to enforce any of its rights at any stage does not waive those rights.
- You must not:
 - tamper with the entry process;
 - engage in any conduct that may jeopardise the fair and proper conduct of the competition;
 - act in a disruptive, annoying, threatening, abusive or harassing manner;
 - do anything that may diminish the good name or reputation of the Promoter or any of its related entities or of the agencies or companies associated with this competition;
 - breach any law; or
 - behave in a way that is otherwise inappropriate.
- The Promoter is not liable for entries, prize claims or correspondence that are misplaced, misdirected, delayed, lost, incomplete, illegible or incorrectly submitted.
- If any dispute arises between you and the Promoter concerning the conduct of this competition or claiming a prize, the Promoter will take reasonable steps to consider your point of view, taking into account any facts or evidence you put forward, and to respond to it fairly within a reasonable time. In all other respects, the Promoter's decision in connection with all aspects of this competition is final.
 - Prizes cannot be transferred or exchanged nor redeemed for cash. Without limiting any other term of these Terms and Conditions, all prizes (and elements of prizes) must be taken as and when specified, or will be forfeited with no replacement. The prize values are correct as at the date of preparing these Terms and Conditions and include any applicable GST. The Promoter is not responsible for any change in prize value. You agree that if a prize (or element of a prize) is unavailable for any reason the Promoter may provide another item of equal or higher value, subject to any necessary approval by the state/territory gaming authorities.

- If publication will take place, by entering, you request that your full address not be published.
- If this competition cannot run as planned for any reason beyond the Promoter's control, for example due to software, hardware or communications issues, unauthorised intervention, tampering, fraud or technical failure, government directives, pandemic, public health orders and the like, the Promoter may end, change, suspend or cancel the competition or disqualify affected entries/entrants, subject to any necessary approval by the state/territory gaming authorities.
- The Promoter is not responsible for any tax implications arising from you winning a prize. You should seek independent financial advice. If for GST purposes this competition results in any supply being made for non-monetary consideration, you must follow the Australian Taxation Office's stated view that where the parties are at arm's length, goods and services exchanged are of equal GST inclusive market values.

Liability

- Nothing in these Terms and Conditions restricts, excludes or modifies any consumer rights under any statute including the *Competition and Consumer Act 2010* (Cth).
- Subject to the previous paragraph, the Promoter and the agencies and companies associated with this competition are not liable (including in negligence) for any loss (including indirect, special or consequential loss or loss of profits), expense, damage, personal injury (including allergies, skin conditions or other reactions, as relevant), illness or death suffered in connection with this competition or any prize, except for any liability which under statute cannot be excluded (in which case that liability is limited to the greatest extent allowed by law).
- Without limiting the previous paragraph, the Promoter and the agencies and companies associated with this competition are not liable for any loss of, damage to or delay in delivery of prize/s, or for any damage that occurs to displayed prize/s (where relevant). Unless otherwise specified, prize/s will only be delivered to addresses in Australia.
- This competition is in no way sponsored, endorsed or administered by, or associated with any social media platform, including Facebook, Instagram and Twitter. You provide your information to the Promoter and not to any social media platform. You completely release any relevant social media platforms from any and all liability.