

TERMS & CONDITIONS

Heart of the City CHRISTMAS IS HERE Photo Competition 2014 (the "Competition")

1. CHRISTMAS IS HERE (the "Competition") is operated by Heart of the City (the Promoter) and runs from 9am on Thursday 27 November 2014 until midday on Wednesday 24 December 2014.
2. Daily prizes will be announced via the Heart of the City Facebook page between 1-24 December 2014, with winning photos chosen by Heart of the City. The selection of the winning photos will be final and no correspondence will be entered into.
3. The daily prizes are not transferable and are not redeemable for cash.
4. Information about how to participate in the Competition also forms part of these terms and conditions.
5. By uploading and sharing your image(s) via Facebook or via Instagram with the hashtag #AKLxmasishere you agree to participate in the Competition and accept the terms and conditions (if you do not agree to the Competition terms and conditions, please do not participate in the by uploading images and sharing via the hashtag #AKLxmasishere). Any image that is uploaded and shared that does not comply with the Competition terms and conditions will not be valid and so will be deemed ineligible to be included in the Competition.
6. Participation in the Competition is only open to New Zealand residents; and any participants under the age of 18 years old will not be eligible to enter.
7. There is no limit to the number of images each participant can upload and share to the hashtag #AKLxmasishere for the purposes of the Competition.
8. All images received by Facebook and Instagram and assigned to the Promoter via the hashtag #AKLxmasishere that comply with the terms and conditions of the Competition will be displayed in an image gallery viewable on the Heart of the City Facebook page;
<https://www.facebook.com/HeartoftheCityAKLD>.
9. In order to take part in the Competition, participants must first have a valid Facebook or Instagram account with a public profile and have agreed to the terms and conditions for Facebook (<https://www.facebook.com/policies>) and/or Instagram (<http://instagram.com/about/legal/terms>).
10. To be eligible for their image to be displayed by the Promoter for the purposes of the Competition, a participant will need to:
 - i. take an image of their best Christmas moment within the boundaries of Auckland central city (for details please visit <http://www.heartofthecity.co.nz/article/discover-the-precincts-of-the-heart-of-the-city>) (the "Central City Boundaries"). Images taken from outside the central city will not be included in the competition;
 - ii. tag the image with the #AKLxmasishere hashtag; and,
 - iii. upload the image to Facebook through Facebook or Instagram social media sharing platform, under your own user name.
11. By tagging an image with the #AKLxmasishere hashtag, the owner of the image confirms that the image complies with all of the following conditions:
 - i. the image was taken from within the Central City Boundaries;
 - ii. the image was taken by the participant and is the participant's own original work;
 - iii. the image features no obscene, sexually explicit, violent or offensive content or material;
 - iv. the necessary permission to participate in the Competition, including but not limited to uploading and sharing the image via Facebook and/or Instagram so that the

image is publicly viewable was obtained from the individual(s) who may appear in the image; and/or,

v. the image does not breach any copyright or other third party rights.

12. Any image that does not comply with the above conditions will be rejected or removed from the Competition gallery.
13. The Promoter reserves the right not to display and/or to remove any images uploaded and shared for the purposes of the Competition for any reason whatsoever.
14. By uploading an image to Facebook and/or Instagram and sharing the image via the #AKLxmasishere hashtag, the participant agrees and consents to the Promoter publishing the image at any time (without further notice to you), including for the purposes of promoting the Competition and/or Heart of the City via marketing materials and/or social media and online channels.
15. Participants take full responsibility for their images and agree and confirm that the Promoter is in no way liable toward any third parties for any images that are uploaded and/or shared, including those displayed within the galleries.
16. The participant agrees and confirms that by participating in the Competition it hereby transfers all copyright that subsists in the images to the Promoter and waives all moral rights to the images.
17. The Promoter reserves the right to vary, suspend or terminate the Competition or remove any participant at any time, for any reason including (without limitation) if the Competition is not capable of running as planned for any reason.
18. The Promoter reserves the right, at its sole discretion, to cancel, terminate, modify, extend or suspend the Competition and/or the terms and conditions at any time for whatever reason.
19. The Promoter is not responsible for any images that are late, misdirected or lost and takes no responsibility for any images not uploaded or shared correctly through Facebook and/or Instagram and with the #AKLxmasishere hashtag.
20. The Promoter is not responsible for any problems or technical malfunction of any telephone network or lines, servers or providers, or any combination thereof. Nor is it responsible for any incorrect or inaccurate information caused by any of the equipment or programming associated with or utilised in the Competition, or by any technical error that may occur in the course of the administration of the Competition. The Promoter assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission communications line failure, theft or destruction or unauthorised access to alter or alteration of entries.
21. Neither the Promoter nor any other person associated with the Competition shall be liable for any loss or damage whatsoever suffered (including but not limited to indirect or consequential loss) or personal injury suffered or sustained in connection with participation in this Competition.
22. The Promoter of the Competition is Heart of the City, PO Box 105 331, Auckland, New Zealand.
23. The Competition is in no way sponsored by Facebook or Instagram.
24. You understand that you are providing your information to Heart of the City Incorporated. The information you provide will be held and used for the purpose of the Competition.
25. All images and/or information collected by the Promoter in the course of the Competition becomes the property of Heart of the City. To access or request correction of your personal information please contact Heart of the City, Level 2, 26 Lorne St, Auckland.