

2012 Commonwealth Bank Staff Community Fund Community Grants Grant Guidelines

This document (“**Guidelines**”) sets out the application process for organisations wishing to apply to take part in the 2012 Commonwealth Bank Staff Community Fund Community Grants program (the “**Program**”) operated by the Commonwealth Bank of Australia (the “**Bank**”). Any communications you or your organisation receive from the Bank in relation to the Program will also form part of the Guidelines.

If you wish to apply for a Community Grant, please review these Guidelines carefully before submitting your Organisation’s 2012 Commonwealth Bank Staff Community Fund Community Grants Application Form (“**Application Form**”). All Application Forms must comply with these Guidelines. By submitting an Application Form your organisation agrees and acknowledges that it is bound by these Guidelines, as well as any amendments which the Bank may make to these Guidelines.

1 Funder

- (a) The Community Grants are funded by the Commonwealth Bank Staff Community Fund (“**SCF**”).
- (b) The SCF is a fund established by employees of the Commonwealth Bank of Australia (“the **Bank**”) and the SCF provides funding for a range of children’s charities.
- (c) The SCF is managed by a committee that is comprised of employees of the Bank.
- (d) Each year the SCF provides grants to organisations across Australia which provide charity services to children and young persons.

2 Eligibility to Apply

- (a) To be eligible to receive a Community Grant each applying organisation (“Organisation”) must:
 - (i) run, manage, conduct or implement programs (each an “Eligible Youth Program”) that support children and youth up to the age of twenty-one years old in Australia;
 - (ii) be endorsed with Deductible Gift Recipient (DGR) status by the Australian Tax Office and maintain DGR status until such time as a Community Grant is paid; and
 - (iii) hold a current bank account in Australia in its name.
- (b) An Organisation may apply for a Community Grant for separate Eligible Youth Programs but only where each Eligible Youth Program:
 - (i) is conducted in a separate location from any other Eligible Youth Program which is the subject of an application for a Community Grant; or
 - (ii) is managed by a part of the Organisation which operates out of its own distinct territorial location (eg. a State/Territory or part of a State/Territory).
- (c) Application Forms lodged under these Guidelines will only be considered for a Community Grant in 2012. For clarity, whether an Organisation has received a Community Grant in previous years in respect of the same or similar Eligible Youth Program is no indication that a Community Grant will also be awarded in 2012.

- (d) Your Organisation must notify the Bank if it becomes aware or suspects that any of the criteria under clauses 2(a) or 2(b) will not be met. Should the Bank become aware that any of the criteria under clauses 2(a) or 2(b) will not be met, the Bank may in consultation with the SCF, in its sole discretion, disqualify an Application Form or, for Application Forms lodged in relation to more than one Eligible Youth Program run by the one Organisation, combine Application Forms.
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3 Amount of Community Grant

The maximum amount payable by the SCF for each Application will be \$10,000. However, the SCF, in its absolute discretion, may choose to pay an amount less than \$10,000 (the "**Community Grant**").

4 Opening and Closing Dates

- (a) Application Forms applying for a Community Grant must be submitted online at www.commbank.com.au/communitygrants and must be properly completed and successfully submitted by no later than 5:00pm Australian Eastern Standard Time on 29 June 2012 (the "**Application Deadline**").
- (b) For certainty, under no circumstances will the Bank accept any Application Form submitted after the Application Deadline. It is your organisation's responsibility to ensure its Application Form is properly completed and successfully submitted before the Application Deadline.
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5 Submitting an Application

- (a) **APPLICATION FORMS MUST NOT INFRINGE THE INTELLECTUAL PROPERTY RIGHTS OF ANY PERSON OR ENTITY AND THE ORGANISATION MUST INDEMNIFY THE BANK AND SCF AGAINST ANY CLAIM MADE AGAINST THE BANK OR SCF ALLEGING THAT THE BANK'S USE OF THE APPLICATION FORM OR THE INFORMATION INCLUDED IN AN APPLICATION FORM INFRINGES THE INTELLECTUAL PROPERTY RIGHTS OF ANY PERSON OR ENTITY.**
- (b) Application Forms must address the requirements as set out in the Application Form and on this website - www.commbank.com.au/communitygrants
- (c) All sections of the Application Form must be completed before being submitted and only properly completed Application Forms will be considered for a Community Grant.
- (d) Applications Forms that exceed the word limits to responses as specified will not be considered for a Community Grant.
- (e) Images, graphics, files or supporting evidence are not permitted as part of Application Form.
- (f) By submitting an Application Form you agree to:
- (i) receive emails or other correspondence from the Bank or any person or entity engaged by the Bank regarding your application and the Program generally, or regarding products or services offered by the Bank Group; and
 - (ii) participate in any surveys conducted by or on behalf of the Bank or SCF regarding the Program.
- (g) Please email communitygrants@cba.com.au if your Organisation has any problems with its online Application Form.
- (h) If you become aware that your Organisations' Application Form is incorrect or requires updating, you must resubmit your Application Form with the correct and updated information.
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6 Review of Applications

- (a) Chance plays no part in obtaining a Community Grant. All Application Forms will be reviewed by the committee of the SCF and all decisions (including but not limited to the allocation of the Community Grants) by the SCF committee are final and no correspondence will be entered into regarding allocation of the Community Grants or the decision making process generally.

- (b) Neither the Bank nor the SCF will provide individual feedback to Organisations about their Application Forms.
 - (c) Application Forms will not be returned to applicants.
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7 Expenditure of Grant Funds

- (a) Organisations which are awarded a Community Grant must only use their Community Grant to implement their program, as outlined in their Application Form.
 - (b) Successful recipients will receive their Community Grant payment no later than 28 December 2012.
 - (c) Organisations may supplement their Community Grant with additional funds from another source. However, in submitting their Application Form for a Community Grant, Organisations should not assume their application will receive an award of \$10,000 (please note, the amount of the Community Grant is at the discretion of the SCF – clause 3).
 - (d) Organisations must spend their Community Grant within 12 months of receiving the Community Grant or they may be required to return all or part of the Community Grant.
 - (e) **ORGANISATIONS ARE RESPONSIBLE FOR ENSURING THAT THE COMMUNITY GRANT IS SPENT IN A MANNER THAT COMPLIES WITH ALL APPLICABLE LAWS. THE BANK IS NOT RESPONSIBLE FOR ANY ILLEGAL ACTIVITY WHICH TAKES PLACE, WHETHER INTENDED OR NOT, IN CONNECTION WITH AN ORGANISATION'S USE OF A COMMUNITY GRANT.**
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8 Announcement of Organisations Awarded a Grant

- (a) Organisations awarded a Community Grant will be notified by e-mail on or after 28 August 2012.
- (b) Successful Organisations will receive payment by bank cheque made out to the name of the Organisation submitting the Application Form.
- (c) Bank cheques for Community Grants may, at the SCF's discretion, be issued by post or in person. The Bank or the SCF may organise media coverage in connection with the payment of a Community Grant and/or issuing of a bank cheque (see clause 9).
- (d) Upon receipt of the Community Grant payment, the Organisation must provide the SCF within 5 days of being paid the Community Grant a tax deductible receipt (the grant is genuine gift and does not have a GST component) evidencing payment of the Community Grant.

The tax deductible receipt should be sent to:

The Manager, Community Grants
Commonwealth Bank of Australia
Level 5
Tower 1
201 Sussex Street
Sydney NSW 2000

- (e) An Organisation awarded a Community Grant must not nominate a third party to receive the Community Grant payment or authorise payment of the Community Grant to a third party. SCF will not award and will not pay a Community Grant payment to any third party nominated by the Organisation that applied for the Community Grant. For certainty, SCF will not make the Community Grant payment to a Related Body Corporate (as that term is defined in the *Corporations Act 2001* (Cth)) of the Organisation applying for the Community Grant.
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9 Promotion of Successful Grant Recipients

The SCF may promote its Program and Organisations awarded a Community Grant. Organisations awarded a Community Grant agree to be included in various promotional, media, communication and marketing material and mediums and will co-operate with the SCF and the Bank in promoting the Program.

10 Use of information for other Bank initiatives

- (a) Organisations agree that Application Forms upon lodgement will become the property of the Bank.
- (b) The Bank may use, retain, copy and reproduce the Application Forms and the information contained in them, at its sole and absolute discretion.
- (c) Organisations acknowledge and agree that in the event that their application is successful and they are awarded a Community Grant:
 - (i) the Bank and SCF may use all information contained in the Application Form for conducting further research, evaluation and development of resources in relation to Australian children and youth grants; and
 - (ii) all intellectual property rights in all work that may be developed from such research evaluation and development will be owned by the Bank.

11 Privacy Statement

- (a) The Bank (in respect of the SCF) collects personal information including (but not limited to) name and contact details for the purpose of administering this Program and the Community Grants. Organisations may access and correct private information held by SCF or the Bank by contacting communitygrants@cba.com.au.
- (b) The Organisation acknowledges that the Bank and SCF may:
 - (i) engage external providers, entities and organisations to undertake any of the Bank's functions and obligations under this Program including but not limited to, organising and hosting the Program and any related surveys, collecting Application Forms and collecting data and information regarding the Organisations for and on behalf of the Bank and SCF. Your Organisation agrees that the Bank and SCF may disclose personal information to external providers and organisations that it outsources certain functions to throughout the Program and consents to such external providers, Bank Group members, and organisations collecting information regarding the Organisation as part of the Program; and
 - (ii) disclose your personal information to its Related Bodies Corporate (as that term is defined in the *Corporations Act 2001* (Cth)) ("the **Bank Group**").
- (c) The Bank agrees that it complies with its obligations under the *Privacy Act 1988* (Cth) regarding any personal information collected by the Bank as part of the Program and will not use your personal information other than as set out in these Guidelines.

12 Organisation Feedback Survey

- (a) For the SCF to evaluate the ongoing success of the Program, Organisations awarded a Community Grant must complete the feedback survey which collects information on how the Community Grants funds have been spent and to assess the strengths and weaknesses of their program ("**Feedback Survey**").
- (b) In accepting the Community Grant, the Organisation can complete the Feedback Survey and return it to the Bank by 28 December 2013

13 General

- (a) No responsibility is accepted by the SCF for applications that are late or not received, or entries with incorrect or incomplete details, for any reason (including where due to factors outside the Organisation's control).
- (b) **TO THE EXTENT PERMITTED BY LAW, SCF, THE BANK AND THE BANK GROUP AND THEIR DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS, WILL NOT BE LIABLE FOR: (A) ANY LOSS OR DAMAGE, WHATSOEVER WHICH IS SUFFERED OR SUSTAINED (INCLUDING BUT NOT LIMITED TO INDIRECT OR CONSEQUENTIAL, FINANCIAL OR OTHER LOSS); OR (B) ANY PERSONAL INJURY SUFFERED OR SUSTAINED, IN CONNECTION WITH AN ORGANISATION'S**

PARTICIPATION IN THE PROGRAM OR THE RECEIPT OR USE OF THE COMMUNITY GRANT BY AN ORGANISATION OR ANYONE PARTICIPATING WITH THAT ORGANISATION.

- (c) This Program shall be governed by the laws of New South Wales and each Organisation agrees to submit to the non-exclusive jurisdiction of the New South Wales courts.
- (d) **THE BANK MAY AT ANY TIME AND AT ITS OWN DISCRETION AMEND THESE GUIDELINES OR THE PROGRAM AND MAY CEASE THE PROGRAM OR ELECT NOT TO AWARD ANY COMMUNITY GRANTS.**
- (e) Your Organisation is responsible for all costs associated with applying for a Community Grant.
- (f) SCF, the Bank or their external providers are not responsible for any problems or technical malfunction of any telephone network or lines, computer online systems, servers or providers, computer equipment, software, technical problems, or traffic congestion on the internet or any website, or any combination thereof (including, but not limited to) any injury or damage to participants or any other person's computer related to or resulting from participation in or downloading any information regarding the Program.
- (g) Your Organisation acknowledges that it places no reliance on, and the Bank and the SCF have not made any promise or representation, in connection with the Organisation's chances of receiving a Community Grant.
- (h) Your Organisation must not engage in any publicity or make any public announcement in relation to its applying for or receiving a Community Grant unless it has first received the Bank's written consent.

14 Repayment of Community Grant

If an Organisation is awarded a Community Grant and:

- (a) the Organisation does not use the Community Grant as set out in these terms and conditions; or
- (b) the Organisation breaches these Guidelines;
- (c) the Organisation does not provide the Bank with a tax deductible receipt within 5 days of receiving the Community Grant payment;
- (d) the Organisation does not hold an Australian bank account in its own name into which the Community Grants payment can be paid;
- (e) the Organisation nominates a third party to receive the Community Grant payment;
- (f) the Organisation does not have DGR status at the time of the Community Grant being awarded;
- (g) the Organisation does not provide the Bank with information, documentation or material as required under these guidelines by the time specified in these guidelines;
- (h) it is subsequently determined that the Organisation was not eligible for a Community Grant; or
- (i) the Bank's or SCF's association with the Organisation would adversely affect the Bank Group's brand, name, reputation or image,

the Bank may take action to recover the Community Grant paid to the Organisation.

15 Receipt of Promotional Material

- (a) By submitting an application the Organisation expressly agrees that SCF, the Bank and its external providers may collect personal information of the Organisation and provide such personal information to the Bank Group for the purposes of promoting other products, promotions, programs and services offered by the Bank Group, which may be of interest to the Organisation.
- (b) By submitting an application the Organisation agrees to receive information about the Bank Group's products, promotions, programs and services in any medium, including but not limited to commercial electronic communications.