



LIST OF AWARDS FOR 2016
COMMERCIAL & INDUSTRIAL
MARKETING AWARDS



List of Awards for 2016

[Commercial & Industrial Marketing Awards](#)

Version 2 - 23 June 2016

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COMMERCIAL & INDUSTRIAL MARKETING AWARDS

LIST OF AWARDS FOR 2016



We are pleased to provide the criteria for the C&I REIV Awards for Excellence 2016.

The REIV Awards for Excellence showcase the best of the property industry and celebrate leading real estate agency practices and professionals. The awards recognise and reward REIV members who have gone the extra mile in pursuit of service, ethics and results. This is the most prestigious event in the real estate calendar and the award categories are highly contested.

This document provides information on the award categories being contested this year and lists the criteria that each category will be assessed on.

We urge you to carefully review the information provided to prepare your submission. Some categories may have changed from previous years.

Key Dates:

	NOMINATIONS OPEN	NOMINATIONS CLOSE	FINALISTS ANNOUNCED	WINNERS PRESENTED
2016 Commercial & Industrial Marketing Awards	Friday, 1 July 2016	Friday, 12 August 2016	Friday, 2 September 2016	Thursday, 15 September 2016
2016 Awards for Excellence	Friday, 1 July 2016	Friday, 12 August 2016	Thursday, 22 September 2016	Thursday, 27 October 2016

Making a submission

1. Identify the award categories that you would like to enter
2. Collate necessary information as per the award criteria
3. Review terms & conditions of entry as listed in this document and ensure that all requirements are understood and adhered to
4. All submissions must be made online at www.reiv.com.au/awards2016
5. REIV does not charge entry fees to enter the awards. Entrants are responsible for any other costs associated with entering or attending the REIV Awards for Excellence 2016 or the REIA National Awards for Excellence 2017.

For a complete list of categories and criteria for the REIV Awards for Excellence 2016, please refer to reiv.com.au/awards2016

Eligibility to Enter for an Award

The Real Estate Institute of Victoria Ltd (REIV) Awards for Excellence (Awards) are presented to eligible REIV members who are adjudged to have shown excellence in the Award Categories during the period of 1 July 2015 – 30 June 2016 (award period).

You are eligible to enter for an Award if:

1. during the award period you were a financial member of the REIV in one, or more, of the following categories:
 - 1.1 an office member; if entering for an agency award
 - 1.2 a licensed member; if entering for an individual award *or*
 - 1.3 a representative member; if entering for an individual award
 - 1.4 an affiliate individual member, if entering for the individual award of Owners Corporation Manager of the Year and you would not otherwise be eligible to enter for that award as you were not a licensed member or a representative member during the award period
2. on the date on which you enter for an Award, none of the matters in the First Schedule apply to you; and
3. You accept the terms and conditions of entry and confirm your eligibility to submit your entry.

Terms and conditions of Entry

Please **read and then accept** these terms and conditions before submitting your entry.

1. The REIV Awards for Excellence 2016 (Awards) comprise the following categories:
 - 1.1 Agency Awards**
 - (a) Commercial Agency of the Year;
 - (b) *Commercial & Industrial Gold Award for Overall Excellence;
 - (c) Communications Award;
 - (d) Community Service Award;
 - (e) Innovation Award;
 - (f) Best Website Award;
 - (g) Corporate Promotion Award – Multiple Offices;
 - (h) Corporate Promotion Award – Single Office;
 - (i) Large Residential Agency of the Year
 - (j) Medium Residential Agency of the Year;
 - (k) Small Residential Agency of the Year;
 - (l) realestateVIEW.com.au sales agency of the year
 - (m) Residential Marketing Award (budget under \$10K);
 - (n) Residential Marketing Award (budget \$10K and over);
 - (o) Project Marketing Award;
 - (p) Rural Marketing Award;

- (q) Commercial & Industrial Marketing Awards –
- (i) Industrial – Best Leasing Campaign (budget under \$10K);
 - (ii) Industrial – Best Leasing Campaign (budget \$10K and over);
 - (iii) Office – Best Leasing Campaign (budget under \$10K);
 - (iv) Office– Best Leasing Campaign (budget \$10K and over);
 - (v) Retail – Best Leasing Campaign (budget under \$10K);
 - (vi) Retail – Best Leasing Campaign (budget \$10K and over);
 - (vii) Industrial – Best Sales Campaign Budget (no \$ budget limit);
 - (viii) Office – Best Sales Campaign (budget under \$20K);
 - (ix) Office – Best Sales Campaign (budget \$20K and over);
 - (x) Retail – Best Sales Campaign (budget under \$20K);
 - (xi) Retail – Best Sales Campaign (budget \$20K and over);
 - (xii) Development Site – Best Sales Campaign (budget under \$20K);
 - (xiii) Development Site – Best Sales Campaign (budget \$20K and over)

(* not open for direct entry. Selected from Commercial & Industrial Marketing Awards entries)

1.2 Individual Awards

- (a) Achievement Award;
 - (b) Business Broker of the Year;
 - (c) Buyers' Agent of the Year;
 - (d) Commercial Property Manager of the Year;
 - (e) Commercial Sales Person of the Year;
 - (f) Corporate Support Person of the Year;
 - (g) Outstanding Young Agent of the Year;
 - (h) Owners' Corporation Manager of the Year;
 - (i) Residential Property Manager of the Year (non-principals)
 - (j) Residential Property Manager of the Year (principals);
 - (k) Residential Salesperson of the Year (non-principals);
 - (l) Residential Salesperson of the Year (principals);
2. If you are eligible to do so, you may submit an entry in one or more of the Award categories set out in either clause 1.1, or clause 1.2 or both, except the categories indicated as not open for direct entry.
 3. Each category has its own criteria. The entry form sets out the criteria. You must comply with it. If your entry does not comply with the criteria it will be ineligible, but may be assigned to another category if, and only if, the REIV exercises its discretion under clause 9 (d),
 4. Subject to clause 5, your entry must be submitted online via the Awards online portal by 5:00 pm, Friday 12th August, 2016 (deadline). You cannot submit your entry in any other way than via the Awards online portal.
 5. If the REIV reasonably considers there are insufficient eligible entries for one or more categories of the Awards – or if there are no, or no eligible, entries for an Award category by the deadline, it may, at its discretion:
 - 5.1** extend the deadline for entries for the category or for those categories; or
 - 5.2** in lieu of extending the deadline, not present an award in that or in those categories.
 6. If you enter for an award in the category 1.1 Agency Awards, your entry must be approved and be signed by the principal or officer-in-effective control of your agency. The approval and signature

of the principal or officer-in-effective control is not a requirement for an entry in the category 1.2 Individual Awards.

7. It is your responsibility to ensure you have selected the correct category for your entry and it is submitted by the deadline.
8. You are responsible for the costs and expenses incurred in preparing and submitting your entry and in attending the Awards and for attending the 2017 REIA National Awards for Excellence.
9. On submitting your entry you agree:
 - (a) you cannot withdraw your entry, add to or alter it, or substitute another entry for it;
 - (b) it becomes the property of the REIV and will not be returned to you;
 - (c) it may be disqualified if: you are ineligible to enter or it does not comply with the criteria applicable to the category in which it is entered (subject to the discretion in clause 9 (d)) or with the terms and conditions of entry or information provided with it is false, misleading or deceptive or is likely to mislead or deceive;
 - (d) if it is obvious to the REIV on the face of it that your entry has been submitted in an incorrect category, the REIV may, at its sole discretion, assign it to a category which the REIV considers is appropriate. The non-exercise or exercise of the REIV 's discretion is not open to question;
 - (e) the identities of the judges of your entry are confidential and will not be disclosed to you;
 - (f) the judges' decision on your entry is final and binding on you and is not open to question;
 - (g) the REIV may, at its discretion, enter your entry in the 2017 REIA National Awards for Excellence;
 - (h) you will remain a member of the REIV in the category in which you hold membership on the date you submitted your entry until at least the day after the day on which the 2017 REIA National Awards for Excellence are presented. If you do not remain a member as required, you will be ineligible to be a finalist in or receive the award for the category or categories in which you enter and if you are declared a finalist or the winner in that category or categories the REIV may, at its sole discretion, disqualify you as a finalist or the winner;
 - (i) if you are a finalist in or declared the winner of the category in which you enter and if at that time, or at any time afterwards, any of the matters in the First Schedule then applies to you – even though it did not apply when you submitted your entry – the REIV may, at its sole discretion, disqualify you as a finalist or as the winner of that category or categories and its decision will be final and binding on you;
 - (j) the REIV may use any part or all of your entry to promote by any medium the Awards and the Award winners and also to promote future REIV awards for excellence or their equivalents;
 - (k) your contact details may be provided to agencies engaged by the REIV to promote the Awards;
 - (l) if you are a finalist or a Winner in the category in which you have entered, or to which you have been assigned by the REIV, you will receive an Award Logo and Certificate;

- (m) if you want to use the Award Logo or Certificate for promotional or other purposes, you may only do so strictly in accordance with the terms of the Award Logo licence agreement set out in Appendix A and which the REIV will provide to you for signing and return. You must not use your Award Logo or Certificate for any promotional or other purposes until you have signed and returned the licence agreement and the REIV has formally acknowledged receipt of it.

First Schedule

1. You are the subject of, or are aware – or could reasonably be aware – you are to be the subject of, an inquiry under section 25, 28 or 59 of the Estate Agents Act 1980.
2. You are, or are aware – or could reasonably be aware – that you are to be, a defendant or a respondent in criminal or civil proceedings in Australia or elsewhere in connection with or in relation to –
 - (a) bankruptcy;
 - (b) bullying;
 - (c) culpable driving;
 - (d) defamation;
 - (e) discrimination;
 - (f) dishonesty;
 - (g) drugs;
 - (h) fraud;
 - (i) harassment;
 - (j) insolvency;
 - (k) misleading or deceptive conduct;
 - (l) money laundering;
 - (m) occupational health and safety;
 - (n) paedophilia;
 - (o) pornography;
 - (p) privacy;
 - (q) taxation;
 - (r) the sale, purchase, letting or management of real estate or a business;
 - (s) trust moneys;
 - (t) violence;
3. As a defendant or as a respondent you were subject to an adverse finding, whether or not it resulted in a conviction or an order being recorded or made against you, by a court or a tribunal in Australia or elsewhere in connection with or in relation to any of the matters set out in clauses 1 or 2.
4. You have provided an enforceable undertaking to Consumer Affairs Victoria or the Australian Competition and Consumer Commission.
5. You were subject to an adverse finding by an REIV Hearing Panel in connection with or relation to a member-to-member complaint or dispute.



AWARDS FOR EXCELLENCE

COMMERCIAL & INDUSTRIAL MARKETING AWARDS

Categories and Criteria



Commercial & industrial marketing awards

These awards showcase the best in commercial and industrial advertising, marketing and promotion. C&I Marketing Awards will be presented at a cocktail function on 15 September 2016.

	NOMINATIONS OPEN	NOMINATIONS CLOSE	FINALISTS ANNOUNCED	WINNERS PRESENTED
2016 Commercial & Industrial Marketing Awards	Friday, 1 July 2016	Friday, 12 August 2016	Friday, 2 September 2016	Thursday, 15 September 2016

C&I overall gold award for excellence

The Gold Award for Overall Excellence is presented to the winner of the REIV Commercial and Industrial Awards (Marketing) which, in the opinion of the judges, is the most outstanding overall marketing campaign of the award period. This award will be announced at the REIV Awards for Excellence on Thursday 27 October 2016.

All submissions must comply with the criteria and conditions detailed under Section “Eligibility to Enter for an Award” on page 7.

All submissions must include the information detailed below.

Submission Details

REIV membership number	Agency must be a current member from July 2015 through to October 2016 Agency must also be a member at the time of REIA National Awards 2017
Name of Principal or OIEC of the member agency	Submission must be approved by the Principal or OIEC of the member agency
Period the submission relates to	Initiatives must relate to 1 July 2015 – 30 June 2016
Agency Name	Must be same as the trading name registered with the Business Licensing Authority

Submission Attachments

Item	
Agency Profile	Profile provided may be used to introduce your agency and/or any publicity undertaken for the Awards. Maximum 100 words
Logo	This image may be used on promotion and collateral for the Awards. High Resolution image in JPG, EPS

Development site - best sales campaign (Budget under \$20,000)

- A physical submission may be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

SUBMISSION CRITERIA

Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale and the date it was sold
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
- Details of any other forms of marketing or promotional activities undertaken.

Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Development site - best sales campaign (Budget over \$20,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

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Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale and the date it was sold
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
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- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Industrial site - best sales campaign

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

SUBMISSION CRITERIA

Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale and the date it was sold
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
- Details of any other forms of marketing or promotional activities undertaken.

Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Office site - best sales campaign (Budget under \$20,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

SUBMISSION CRITERIA

Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale and the date it was sold
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
- Details of any other forms of marketing or promotional activities undertaken.

Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Office site - best sales campaign (Budget over \$20,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

SUBMISSION CRITERIA

Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale or lease and the date it was sold or leased
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
- Details of any other forms of marketing or promotional activities undertaken.

Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Retail site - best sales campaign (Budget under \$20,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
- All entries must be collected from the REIV by 5.00pm on Friday 18 November 2016. Entries that are not collected will be destroyed.

SUBMISSION CRITERIA

Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for sale and the date it was sold
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
- Details of any other forms of marketing or promotional activities undertaken.

Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Retail site - best sales campaign (Budget over \$20,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
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- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
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- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Industrial site - best leasing campaign (Budget under \$10,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
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Submissions must identify the following criteria:

- Description of the site
- Total campaign spend with itemised costings showing breakdowns of creative and placement
- The date the property was offered for lease and the date it was leased
- Summary of the marketing campaign
- Statement identifying how the campaign met the objectives
- Details of any additional editorial or media coverage received (copies of relevant documents can be submitted as evidence)
- Details of all website placement and electronic media used referencing any costs associated with this
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- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

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Industrial site - best leasing campaign (Budget over \$10,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
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- Creativity and Innovation
- Effectiveness of marketing strategy
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- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Office site - best leasing campaign (Budget under \$10,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
- Submissions should be no larger than A3 in size and contained within a folder or portfolio.
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Submissions are assessed on a range of criteria including but not limited to:

- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Office site - best leasing campaign (Budget over \$10,000)

- A physical submission can be made for this category.
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- Creativity and Innovation
- Effectiveness of marketing strategy
- Cost effectiveness of campaign relative to outcomes
- Identification and customisation for target audience

Please refer to the Submission requirements on page 12.

Retail site - best leasing campaign (Budget under \$10,000)

- A physical submission can be made for this category.
- Entrants must also complete the entry form online and either post or drop-off the hard copy submission along with a copy of the online entry confirmation.
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- Creativity and Innovation
- Effectiveness of marketing strategy
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Please refer to the Submission requirements on page 12.

Appendix A – Proforma Agreement for REIV Awards for Excellence 2016 logo usage

Non-exclusive licence agreement

This non-exclusive licence agreement is made between

The Real Estate Institute of Victoria Ltd [ACN 004 201 897] of 335 Camberwell Road, Camberwell 3124
email address: reiv@reiv.com.au (We/Our/Us)

And

The licensee described in the Schedule (You/Your)

Recitals

[to be completed as appropriate, depending on whether finalist or winner in a category or categories]

- A. We own the logos depicted in the Schedule (our logos).
- B. You want to be able to use [one or more of our logos regarding you being a finalist or a winner in one or more award categories at the 2016 REIV Awards for Excellence]
- C. We will grant you a non-exclusive licence to use our logo[appropriate to you being either a finalist or a winner in one or more award categories at the 2016 REIV Awards for Excellence, to be inserted as appropriate]on the terms set out in this agreement.

We and you agree:

1. We grant you a non-exclusive licence to use our logos

- 1.1 Beginning on the date of this agreement, we grant to you and you accept a non-exclusive licence (your licence) to use our [finalist or winner, to be inserted as appropriate] logo ,as is appropriate to you, on the terms set out in the Schedule.[For the avoidance of doubt, if you are winner in one or more award categories, this licence does not allow you to use both our finalist logo and our winner logo for that or for those categories, it only allows you to use our winner logo for that or for those categories.]
- 1.2 Your licence will end on the date and at the time stated in the Schedule, unless brought to an end sooner, as provided by this agreement.
- 1.3 We may grant others non-exclusive licenses to use our logo and on different terms to those of your licence.

2. You cannot deal with your licence

- 2.1 Your licence is exclusive to you. You cannot assign a legal or equitable interest in it or grant a sub-licence of it.
- 2.2 If you assign or grant a sub-licence of your licence, or attempt to do either of these things, your licence will automatically terminate without it being necessary for us to give you a notice to that effect.

3. Ownership of our logos and intellectual property

- 3.1 You acknowledge we own our logo and the intellectual property in it. Your licence does not create any right, title, or interest in our logo or the intellectual property in it.
- 3.2 You must not store our logo in an information or storage or retrieval system, unless we have first given you our written consent to do so. If we give our consent, we may impose conditions and you must comply with them.
- 3.3 Our logo must be used in its entirety and must not be changed or altered in any way

4. Selecting our logos

- 4.1 It is your responsibility to consider the suitability of our logo for the purpose set out in the Schedule.

5. Marketing

- 5.1 We will not formulate or develop or produce marketing material for you.
- 5.2 We are not obliged to provide assistance to you or anyone else in connection with or in relation to your marketing or promotion.

6. We give no warranties and limit our liability

- 6.1 We disclaim, to the fullest extent permitted by law, all express, implied, and statutory warranties (including without limiting the generality of the foregoing) merchantability, fitness for purpose, and non-infringement of proprietary rights.
- 6.2 We give no warranty our logos, including those you select, will meet your requirements or your expectations or will be suitable for your use.
- 6.3 You use our logo on the express understanding we will not be liable to you for any direct, indirect, special, consequential, or exemplary damages. Including (but not limited to) damage for loss of goodwill, use, or intangible losses (even if you have notified us of possible damages) resulting from or in connection with or in relation to your use of our logos.

7. Your indemnity

- 7.1 You indemnify us against any claims or demands (including legal costs and expenses on a full indemnity basis) made by a third party in connection with or in relation to your use of our logos.
- 7.2 Your indemnity remains in effect even though your licence has come to an end by the passing of time or has been terminated.

8. We may require you to explain your conduct

- 8.1 If we have reason to suspect you are not or may not be complying with the terms of your licence, we (or our representative) may request you provide a written explanation to us of allegations we put to you, within 7 days of the allegations being given to you.
- 8.2 You must provide us with your written explanation of the allegations strictly within the 7 days allowed for you to do so.
- 8.3 If you do not provide your written explanation to us within the 7 days or we consider your written explanation to be unsatisfactory when received, we may, in either case, immediately terminate your licence by giving you notice in accordance with clause [no.13]

9. We do not monitor other licensees

- 9.1 You cannot require us to monitor the use of our logo by other licensees nor do we warrant we will enforce the terms of their licences.
- 9.2 We give you no warranty or undertaking other licensees will comply with the terms of their licences.
- 9.3 You cannot require us to consider or investigate allegations you or anyone else may make in relation to or in connection with the use of our logos by other licensees.

10. We may change our logos and your terms of use

- 10.1 We may change the design, size and colours of our logo or your terms of use of them. If we do so, we will give you notice. You agree you will comply with the notified changes on and from the date nominated by us.

11. We or you may terminate your licence

- 11.1 We may immediately terminate your licence by notice if –
 - (a) you do not comply with the terms of use set out in the Schedule; or
 - (b) you cease to be our member; or
 - (c) during the term of your licence any of the matters set out in the First Schedule of the Eligibility to Enter for an Award applies to you; or
 - (d) an offence is proven against you in a court or tribunal under the Estate Agents Act 1980, the Competition and Consumer Act 2010, the Australian Consumer Law and Fair Trading Act 2012, the Sale of Land Act 1962, the Duties Act 2000, the Income Tax Assessment Act 1936, the Crimes Act 1958, or the Corporations Act 2001, or regulations or guidelines made under those Acts; or
 - (e) you use our logo- in a manner which associates or could be interpreted as tending to associate us with a political, religious, or ethnic group; or

- (f) you do something that in our reasonable opinion is detrimental to us or our members or our reputation or the reputation or interests of the real estate industry; or
- (g) you assign your property for the benefit of your creditors or become a bankrupt.

11.2 You may terminate your licence at any time by giving us prior notice.

12. Your responsibilities on your licence ending or being terminated

12.1 When your licence ends or is terminated you must immediately –

- (a) cease using our logo whether in electronic or hard copy form; and
- (b) cease distributing any form of electronic or hard copy material which carries our logo; and
- (c) remove our logo from your website or that of a third party; and
- (d) at your expense return to us any materials you have received from us in relation to your use of our logo.

13. Notices

13.1 If a notice needs to be given by us to you or vice versa it is to be in writing and is to be dated and signed by the giver of it.

13.2 A notice is given to by us to you or vice versa by –

- (a) delivering it; or
- (b) posting it by pre-paid post; or
- (c) sending it by electronic communication (email)

to our or to your address or to our or to your email address set out in the Schedule.

13.3 A notice that is delivered is given on delivery. But if delivery takes place outside normal business hours the notice is deemed given at 9:00 am on the next business day at the place of delivery.

13.4 A notice that is posted is given –

- (a) if posted by express post, on the next business day; or
- (b) if posted by priority post, on the fourth business day; or
- (c) if posted by regular post, on the sixth business day

after the day on which the notice is posted.

- 13.5 A notice sent by email is given when it first becomes capable of being retrieved as provided in section 13A (2) of the Electronic Transactions (Victoria) Act 2000. If that occurs outside normal business hours the notice is deemed given at 9:00 am on the next business day.
- 13.6 For the purpose of giving a notice –
- (a) “normal business hours” means between the hours of 9:00 am and 5:00 pm inclusive on a business day; and
 - (b) “business day” means a day other than Saturday, Sunday or a day declared as a public holiday at the street address of the recipient set out in the Schedule; and
 - (c) “in writing” means any way of representing or reproducing words, figures or symbols in a visible form.
- 13.7 For the purposes of Part 2, Division 2, section 8 of the Electronic Transactions (Victoria) Act 2000 we and you agree it is reasonable to expect that information or a notice or both to be given by either of us to the other by means of an electronic communication will be readily accessible so as to be useable for subsequent reference and we and you consent to information or a notice or both being given by either of us to the other by means of an electronic communication.
- 13.8 For the purpose of the giving of a notice which requires a signature and will be given in the body of or as an attachment to an email, the signature of the person to the notice will be a sufficient signature if typed in a legible font.

14 What law applies?

- 14.1 The law of Victoria applies to your licence.

15 This is an entire agreement

- 15.1 Your licence constitutes the entire agreement made between the both of us.
- 15.2 There are no other agreements or understandings whether in writing or otherwise in relation to or in connection with your licence.
- 15.3 If a part of your licence is found by a court or tribunal to be invalid it will be deemed severed and the remainder of your licence will continue in full force and effect.

SCHEDULE

Licensee:

Name (registered with the BLA):

ACN:

Business name:

Street address:

Postcode:

Email address:

This licence starts on: / /20

This licence ends at: midnight on the day that is the day before the fifth anniversary of the date on which this licence starts, no notice bringing it to an end by the passing of time is necessary.

Terms for use of our logo: [Sample logo styles below. Each logo will be customised for the relevant award category]



CONTACT US

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