

JS Regulatory Services
Free Regulatory Problem Solving Program
Terms Sheet
March 2024



1. Legals

The promoter is Jason Patrick Scarborough, trading as JS Regulatory Services (ABN 97 952 060 761). This trade promotion is undertaken under the NSW Authority TP/03322.

Information on how to enter and program details form part of these terms. These Terms will bind all nominees (including the successful nominee) that submit a nomination to JSRS for the program, and may be updated from time to time. These Terms are governed by the laws of New South Wales and the parties submit to the non-exclusive jurisdiction of the courts of that state.

By entering this promotion, an entrant is indicating his/her acceptance and agreement to be bound by these terms.

2. Definitions

JSRS – Jason Patrick Scarborough, trading as JS Regulatory Services (ABN 97 952 060 761)

The program – the development of a regulatory problem solving program as detailed in Paragraph 5.

Nominee – Any local government entity (or group of local government entities) that has made a nomination to be considered for the program.

Successful nominee – The local government entity (or group of local government entities) that has been selected from the nominations to receive the program.

3. General

This is NOT a game of chance

The successful nominee will be selected after the assessment of all nominations and based on a range of criteria including:

- (a) The scale of the regulatory problem
- (b) Availability and quality of data to establish compliance baselines and measurement of program impact.
- (c) Attempts made to address the regulatory problem in the past.
- (d) Ability to implement the developed regulatory program.

4. Eligibility

Any Local Government (or grouping of Local Governments) within New South Wales can nominate to be considered for the program.

5. What is the program?

The development of a regulatory problem solving program by JSRS for the successful nominee, which includes:

- (a) Preliminary analysis of data related to the regulatory challenge,
- (b) Discovery interviews with key regulatory officers,
- (c) A problem solving workshop session with regulatory officers,
- (d) Risk assessment,
- (e) Identification of measures to evaluate program impact,
- (f) The development of a regulatory program that integrates proactive, preventive and reactive intervention measures to improve compliance,
- (g) Program check-ins, final evaluation, and
- (h) All related travel expenses.

The costs associated with the implementation and monitoring of the program (including any required legal advice) are not included. All costs and resources required for the implementation of the program are the sole responsibility of the successful nominee.

JSRS will develop the program in compliance with all relevant laws and standards and exercise the care, skill, competence and diligence which would be expected of a careful, skilful, competent and diligent consultant in performing services of a similar nature.

The commercial value of the program being offered to the successful nomination is estimated between approximately \$18,000.

6. Nominations process

Nominations must be made on the form that is linked to the information page on the JS Regulatory Services website (www.jsrs.com.au/lg-promotion). Incomplete nominations, nomination by other means, and nominations after the close date will not be accepted.

Nominations are free of charge. Only one nomination per Local Government (or Local Government group) will be accepted.

JSRS reserves the right to, at any time, verify a nomination and disqualify a nominee if the nomination has not been made in accordance with these Terms.

7. Nomination period

Nominations will be open from 0800 (AEDT) on 11 March 2024 and close at 17:00 (AEST) on 11 April 2024.

8. Modification, suspension or termination of nominations

JSRS reserves the right to suspend or terminate the nominations process. All existing nominees will be notified if circumstances arise that require the suspension or termination of the nomination process.

9. How will the successful nominee be selected?

After the close of nominations, all nominations received will be examined, using the criteria identified in Paragraph 3 above. Based on this evaluation, a short list of three nominees will be made.

A further interview will be arranged with the contacts from these three nominees to discuss their regulatory challenge in more detail. After these discussions, a final decision for the successful nominee will be made and the outcome notified to all nominees and on www.jsrs.com.au.

The selection of the successful nominee will be made by 25 April 2024. The successful nominee will be notified directly.

10. Development of the program

The successful nominee will ensure that the development of the program can commence within 3 months of the announcement of the successful nominee. This will require the successful nominee, in the initial 3 months after the announcement of the successful nominee to:

- (a) Provide relevant available data and information,
- (b) Identify and provide contact details for key regulatory officers, and
- (c) Providing suggested date(s) for the workshop with regulatory officers.

11. Use of the program

The successful nominee is under no obligation to implement the program. The successful nominee can select the best time (if any) to implement the program.

The successful nominee is free to choose the best way to fund and resource the implementation of the program.

12. Non transferrable

The program is not transferable or exchangeable and cannot be taken as cash.

13. Publicity and promotion related to the program

Approval will be sought from the successful nominee before any publicity and/or promotion undertaken by JSRS in relation to the program. This may include posting or otherwise publicising material, including, but not necessarily limited to:

- (a) announcement of the successful nominee,
- (b) broad details of the regulatory challenge being addressed,
- (c) steps in the development of the program,
- (d) outcomes from the development of the program,
- (e) implementation of the program, including results (if applicable), and
- (f) paper(s) for presentation at applicable seminars, expositions, and/or conferences

The successful nominee agrees not to unreasonably withhold approval for publicity activities by JSRS in relation to the program.

The successful nominee is free to conduct its own publicity and promotion in relation to the program. However, JSRS requires acknowledgement in any such material for its role in the development of the program.

14. Social media promotion

Various social media platforms (e.g. LinkedIn, Facebook, YouTube, Instagram, or Snapchat) may be used to advertise or promote the nomination period for the program and also the work done with the successful nominee. Consent will be sought by JSRS from the successful nominee before posting any content that directly identifies the successful nominee.

Any questions, comments or complaints regarding any promotion using social media should be directed to JSRS and not the applicable social media platform(s).

15. Use of nomination information

All nominations made become the property of JSRS. JSRS will never disclose personal information (names, phone numbers and email addresses) provided in the nominations to any third parties

However, JS Regulatory Services may use the nominees' details for future research, promotions, and marketing in various forms, and the nominee consents to such use.

Nominees may direct any questions regarding the management of personal information to JSRS.

16. Termination of offer

The offer to develop the program with the successful nominee will be terminated if:

- (a) The successful nominee fails to enable commencement of the development of the program within 3 months of the announcement of the successful applicant, or
- (b) The successful nominee advises in writing that they no longer want to participate in the development of the program, or
- (c) In the event of a catastrophe, war, civil or military disturbance, act of God or any actual or anticipated breach of any applicable law or regulation or any other event outside of the control of JSRS and/or the successful nominee.

Where a termination occurs, JSRS may, in its absolute discretion, select a new successful nominee from the existing nominations, or recommence the promotion from the start on the same conditions, subject to approval of the relevant authorities.

17. Dispute resolution

The decision made by JSRS as to the successful nominee is final and no correspondence will be entered into.

If a dispute arises regarding the development of the program, this will be handled as per JSRS's general terms of service (available upon request).

18. No liability

JSRS is not liable for any loss (including loss of opportunity) or damage (including, but not limited to, direct, indirect or inconsequential loss) or personal injury in relation to the nomination process or the development of the program.

The use of the program by the successful nominee is at the sole risk of the successful nominee. No warranty is given by JSRS as to the success of the program as the implementation of the program is the sole responsibility of the successful nominee.

19. Independence of JSRS

JSRS is an independent contractor with respect to the provision of the program. Neither JSRS nor its employees are, or shall be deemed to be servants, employees or agents of the successful nominee. Accordingly, JSRS indemnifies the successful nominee against any liability the successful might incur for PAYG, withholding tax, workers' compensation, superannuation and other similar taxes.