

## **Seniors Card Business Partner – Participation Agreement**

The South Australian Seniors Card program is operated by the Department for Health and Wellbeing (DHW). Any reference to 'Seniors Card' shall mean and include any reference to DHW.

### **The Participating Business Partner:**

1. agrees that joining the Seniors Card program as a Participating Business Partner constitutes acceptance of these terms and conditions (Partnership Agreement);
2. agrees to display the Seniors Card Welcome Here Logo in a prominent place in all business outlets that participate in the agreed discount offer, and not to do so in those outlets which do not participate;
3. must be a legal entity (e.g. a company, incorporated association or sole trader) with an ABN or ACN.
4. agrees to DHW making enquiries and exchanging information about the Participating Business or the Directors of a Participating Business with Consumer and Business Services, the Australian Securities and Investment Commission, Australian Competition and Consumer Commission or any other relevant registration, licensing or policing body at any time;
5. agrees to being contacted by Seniors Card Marketing regarding Business Partner information updates and marketing opportunities.
6. agrees that selection into the annual Seniors Card Directory is at the sole discretion of DHW;
7. agrees to not change the offer without prior written consent of DHW for the duration of the 2022 calendar year;
8. agrees it is the responsibility of the business owner or authorised representative to inform DHW of any changes to offer or listing, contact details or authorised persons, including sale of business;
9. agrees that the published offer is authorised by the business owner or a representative of the business owner with authority to bind the business owner;
10. agrees to use the 'Seniors Card Welcome Here' logo in accordance with the brand style guide available on the Seniors Card website including promotions within SA;
11. agrees to only use the 'Seniors Card Welcome Here' or other Seniors Card approved Official Partner logo (as supplied by DHW) in national promotions if the offer is made to all seniors nationally;

12. agrees DHW may terminate the Partnership Agreement by written notice on the basis the participating business no longer meets the eligibility requirements or has breached this Agreement, or is trading while insolvent and must then cease to use or display Seniors Card logos at such time.
13. shall not represent that DHW or its contractors are the provider or supplier of the offer and acknowledges that DHW or its contractors are not responsible for any unsold stock nor do they make any representation that any minimum number of sales will result from the program;
14. agrees that DHW does not give any warranties about the provision of any services or the supply of any goods by an advertiser or their agency as a result of a listing on the Seniors Card website or an advertisement in the Seniors Card Discount Directory;
15. shall not be entitled to use the Seniors Card name or otherwise refer to Seniors Card in conjunction with the offer in any other way concerning its business or otherwise, except with the prior written consent of DHW;
16. warrants to DHW and its contractors that the offer will conform with the description above, that products or services sold shall be free from defects in materials or workmanship and will be fit for the purposes for which the offer is purchased by the customer and that no other offer may be substituted without prior written approval;
17. agrees that DHW and its contractors have no obligation to be involved in disputes between customers and the business partner;
18. agrees to resolve consumer complaints fairly, promptly and to the satisfaction of the Seniors Card member;
19. indemnifies DHW against any and all claims for damages, costs and/or compensation, or any liability whatsoever arising from publication; including for defamation or infringement of intellectual property rights.

For more information about these terms and conditions, contact the Seniors Card Marketing team at [seniorscardmarketing@sa.gov.au](mailto:seniorscardmarketing@sa.gov.au).