

BEARER SPECIAL PROMOTION 5H60D17PF (FEB 2024) TERMS & CONDITIONS

These Terms and Conditions apply to the Bearer Special Promotion ("Promotion") and supplement the [Bearer Contractor Agreement v1.0.110 - March 2023](#) ("Contractor Agreement"). By participating in this Promotion, participants acknowledge and agree to these Terms and Conditions, including the following stipulations and clarifications:

1. Nature of Agreement:

This is not:

- i. an employment agreement and does not create an employer and employee relationship between you and Bearer or any party affiliated with Bearer.
- ii. a joint venture agreement.
- iii. a partnership agreement.
- iv. a principal – agent agreement.

2. Voluntary Participation:

Accepting the Promotional Offer and agreeing to the terms does not create any obligations for you to use the Bearer Platform or provide your services to Bearer at any time. Use of the Bearer Platform is completely at your discretion.

3. Eligibility and Covered Areas:

- Participants must go and stay online for at least 5 hours (300 minutes) a day between 9:00 to 18:00 on weekdays (Monday to Friday) in Melbourne CBD area (Postcodes: 3000, 3001, 3004, 8001) to be eligible for the \$60 gift/e-gift card payment.
- Participants will receive 83% of the original order amount for accepted delivery requests during the Promotion.
- Additional rewards include complimentary Bearer merchandise, priority access to jobs and \$25 Axil Coffee voucher.

4. Order Origin and Destination:

The origin of orders will be Melbourne CBD and surrounding suburbs, with destinations varying up to 60 km from the origin address, depending on the chosen Mode of Transport.

5. Go Online and Stay Online Process:

- **To go online**, participants must log into the Bearer Mobile App, turn the toggle switch to Online, choose their Mode of Transport, and confirm.
- **To stay online**, they must keep the app open and running on-screen; *minimizing the app will disrupt the online status.*

6. Promotion Specifics:

- Participants will be paid 83% of the original order amount for accepted delivery requests during the Promotion.
- The Axil Coffee voucher is limited to one per participant.
- Bearer Merchandise availability is subject to stock limits.
- The reduced platform fee is only valid during the Promotion and will revert post-promotion.

7. Dispute Resolution Mechanism:

Any disputes arising under these Terms and Conditions will be resolved through mediation or, if necessary, legal proceedings within the jurisdiction of Victoria, Australia.

8. Data Protection and Privacy:

Participant data will be handled in accordance with Australian Privacy Principles, ensuring data security and privacy.

9. Changes or Cancellations:

Bearer reserves the right to modify, postpone, or cancel the Promotion, with reasonable notice to participants, and will provide information on compensation or alternatives if applicable.

10. Fair Trading Compliance:

The Promotion and all related communications comply with the Australian Consumer Law and Fair Trading Act, avoiding any misleading or deceptive conduct.

11. Tax Implications:

Participants are advised to seek independent tax advice as rewards or payments may be subject to taxation under Australian law.

12. Limitation of Liability:

Bearer's liability for issues arising from this Promotion is limited to the fullest extent permissible under Australian law, excluding liability for gross negligence or intentional misconduct.

13. Compliance with Employment Laws:

This arrangement does not create an employment relationship, in compliance with Australian employment laws.

14 Availability and Approval:

Limited spots are available on a first-come, first-served basis. Submission of interest does not guarantee participation. Approval is subject to meeting all conditions outlined in this document and the Contractor Agreement.

15. Promotion Period and Terms:

The Promotion is valid from 5 to 16 February 2024 on weekdays, excluding weekends and public holidays. Bearer reserves the right to deduct any deferred payment for miscalculations or breaches of agreement by participants.

By agreeing these terms and participating in this Promotion, participants acknowledge and agree to these terms, including the added clarifications, which are binding upon their participation. Bearer reserves the right to amend these terms as necessary and will provide notice of such changes. The Electronic Transactions (Victoria) Act 2000 applies. By electronically signing, participants approve the contents of this communication.