



# Gift offers: What you need to know

## How they work



Buy a product

OR



Subscribe to a database



Get a gift

## Are permits required?

In some cases, yes.

Permits may be required if there is any chance that a consumer will miss out on receiving a gift. It will all depend on where the offer is running, the entry mechanic and the number of gifts available.

Read on for more information.

## When and where do you need

# PERMITS?

	SA (if gift pool is \$5k+)	NSW  (Unless entrants claim in store)	ACT (if gift pool is \$3k+)
If there aren't enough gift stocks to meet expected demand:	✓	✓	✓
Awarding gifts of different types or values, claimants pick their gift and no one misses out on their selection:	✗	✗	✗
If gifts differ in type or value and the promoter will randomly award gifts:	✓	✓	✓

NB: these are the most common examples we see. Depending on the "in's and out's" of the offer, the necessity for a permit may not always be clear, so feel free to ask us anytime.

## Terms & Conditions

- Are they needed? •

Ts&Cs are required for gift offers, but there are two ways to approach them.

If you need permits, you'll need full Ts&Cs to lodge with the gaming authorities.

If you don't need permits, we may be able to prepare a reduced set of Ts&Cs with the important and onerous details relating to the offer (e.g. the dates it's running, what needs to be purchased, claim limits, etc) plus some wording to minimise the promoter's liability.



### Contact us

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## Using the term "While stocks last"



Running an offer in a number of stores?  
Remove advertising material when gifts are close to running out in a store so you aren't advertising an offer that is no longer valid.

Saying "while stocks last" doesn't remove the need to get permits.

Want to avoid getting permits for an offer running at store level?  
We may be able to help with a workaround that has low risks, so contact us to discuss.

# Advertising

## watch outs

**1** If permits are required, you'll need minimal Ts&Cs and permit numbers on all advertising material.

**2** All other gift offers should have reduced Ts&Cs on the advertising material setting out all important and onerous details.

**3** If there are only a certain number of gifts available, make sure this is clear on advertising (including the number available in each store).

## "Free" claims

It's ok to use the term "free" on advertising material for a gift offer if the gift is truly free upon purchasing a specific product (at the usual price) or signing up to a database.

If you are charging claimants a postage fee or they have to pay a fee towards the gift, it might be misleading to use "free" on the advertising material, although in some cases a disclaimer may overcome the issue.

## Let us help with some examples!

Can you tell me if I'd need permits to run an offer where claimants buy yoghurt in store to get a lunch box on the spot? There are 50 gifts in each store and it's running nationally.

Since claimants could miss out on a gift, you'd need a permit in ACT if the prize pool is \$3k+ nationally and in SA if the prize pool is \$5k+ nationally. Advertising should be clear that there are only 50 gifts per store.

What if I run the same offer but instead of getting the lunch box from the store, claimants go online to claim 1 of 5,000 lunch boxes? Do I need permits?

Yes. As there are limited gifts, you'll need a NSW permit, an ACT permit if the gift pool is \$3k+ and a SA permit if the gift pool is \$5k+, unless you're 100% sure there won't be more than 5,000 claims.

Wow, there really is so much to consider! What if I run the same offer, but don't limit the number of gifts available, do I need permits?

That makes things easier! Since no one will miss out on a gift, permits won't be required. But you might want to consider insuring the promotion in case uptake exceeds expectations. Ask us how.

Thanks Gadens Trade Promotions team!

You're very welcome! Contact us at any time if you have more questions or a proposed mechanic you want to run through.



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