

COLES DAIRY DROUGHT RELIEF FUND

Coles and our customers have already committed over \$12 million to drought relief, including \$5 million from the Coles Nurture Fund.

To further support Australian farmers, Coles is increasing the price of our 3L Own Brand milk from \$3.00 to \$3.30 in all states until the end of the year.

Coles has established the Dairy Drought Relief Fund (**Fund**) to distribute every dollar from this price increase to dairy farmers affected by drought. Funds can be used by eligible dairy farmers to assist with feed, water and other farm improvements or relevant support services including household expenses.

Coles has appointed PwC as an independent auditor to oversee the application administration process and verify that funds have been allocated to drought-affected dairy farmers as committed.

The following Fund Guidelines (**Guidelines**) are to be read in conjunction with the Fund Terms & Conditions (**Terms**), which set out how eligible Australian dairy farmers can participate in the Fund.

GUIDELINES

Drought-affected dairy farmers may apply to Coles for support from the Fund by submitting an application form available on the Coles website – www.coles.com.au (***under Helping drought affected farmers***)

Coles will assess applications in accordance with the Guidelines and Terms and will determine and allocate grants to successful applicants in accordance with:

- the total number of eligible applications received between 10 October 2018 and 30 November 2018 (**Application Period**); and
- the total amount of proceeds raised from 21 September until 31 December 2018, from the additional 30 cents per 3 litres on sales of Coles Own Brand 3L milk and pursuant to the Terms of the Fund.

It is anticipated grants will be made to successful applicants by no later than 31 January 2019.

The Fund has the following principles and objectives:

1. Coles is committed to assisting drought affected Australian dairy farmers and has established the Fund for the sole purpose of providing financial support to eligible applicants through the form of grants.
2. Coles will ensure 100% of the proceeds from the additional 30 cents on sales of Coles Own Brand 3L milk between 21 September and 31 December 2018 will go directly to drought affected dairy farmers.

3. Eligible applicants are drought affected dairy farmers, including dairy farmers experiencing dry conditions and/or facing higher input costs due to the rise in prices for feed and water caused by drought.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

Q. Who is eligible to receive funds from the proceeds of Coles increasing by 30 cents the price of 3L own brand milk?

A. The additional proceeds from the 3L Own Brand milk will be available to eligible dairy farmers across Australia who are affected by drought.

Q. How can dairy farmers apply for assistance?

A. An application form is available on the Coles website – www.coles.com.au (under *Helping drought affected farmers*). Dairy farmers seeking assistance from the Coles Dairy Drought Relief Fund will need to complete this form and supply supporting information to Coles including their ABN and recent milk statement to confirm the bona fides of their dairy farm business.

Q. How can the funds be used?

A. Funds can be used by eligible dairy farmers to assist with feed, water and other farm improvements or relevant support services including household expenses.

Q. When do applications open?

A. Applications will open on 10 October 2018 and close on 30 November 2018.

Q. When will grants be distributed?

A. Grants will be made as soon as practicable. It is anticipated that grants will be made by Coles no later than 31 January 2019. All successful applicants will be notified in writing by January 2019.

Q. How much will each eligible farmer receive?

A. The value of grants will be dependent on the number of eligible dairy farmers who submit successful applications and the sales of Coles Own Brand 3L milk. Funds will be distributed to eligible farmers.

TERMS AND CONDITIONS

The following Terms apply to all applications received by Coles for grants from the Fund, and are to be read in conjunction with the Fund Guidelines.

These Terms apply to all applications received by Coles for grants provided from the Fund.

Capitalised terms have the same meaning as in the Guidelines.

1. Application Form

Any drought affected dairy farmer in Australia seeking to obtain financial support from the Fund may apply for a grant by submitting a valid application to Coles.

Applications will be considered invalid if they are inconsistent with the Guidelines, the Terms or the application form.

All applications submitted to Coles must:

- comply with the requirements contained in the Guidelines and these Terms;
- be legible and provide all the relevant information required to assess the application;
- provide any additional information required to support the application (attached and correctly labelled);
- be sent to the correct email address and entitled “Dairy Drought Relief Fund Application – [*Insert Date and Name*]”;
- not contain any knowingly false or misleading information. Applications that are found to be false or misleading will not be eligible. In addition, Coles may at its absolute discretion refuse to provide a grant to a successful applicant if that applicant has submitted false or misleading information.

Coles is not liable for any applications that are not received due to an act or omission by any party. It is recommended that applicants retain a copy of the application and email for record-keeping purposes.

2. Eligibility Criteria

The intent and objective of the Fund is to provide financial support to eligible drought affected Australian dairy farmers. Accordingly, Coles may, at its absolute discretion, provide grants from the Fund to successful applicants who meet the following eligibility criteria:

- the applicant is an owner or operator of a dairy farm located in Australia (**Dairy Farm**);
- the Dairy Farm is drought affected; and
- the applicant has submitted a valid application form within the Application Period and has provided all relevant information and details necessary to determine eligibility (including supporting documentation as necessary).

For the avoidance of doubt, Coles may in its absolute discretion:

- request clarification or further information in relation to an application from an applicant;

- consider, accept, or refuse to consider or accept, any invalid application; and
- accept or reject any application submitted outside of the Application Period.

No person has any claim against Coles in connection with the exercise or the failure to exercise any of the rights of Coles with respect to the Fund. Any decision by Coles with respect to the Fund is final and binding and there are no avenues for appeal under these Terms, at law or otherwise.

3. Distribution of Funds

All proceeds of the Fund will be distributed to successful applicants on or before 31 January 2019 (**Distributions Date**). Coles may in its absolute discretion vary or amend the Distribution Date and may notify Applicants accordingly.

4. Responsibilities of Applicants

Successful applicants may use the grant from the Fund to assist with feed, water and other farm improvements or relevant support services for their Dairy Farms, including household expenses.

All Applicants:

- must maintain all confidentiality obligations under these Terms; and
- warrant that none of the information provided in an application form is knowingly false or misleading.

5. Confidentiality of Applications and Privacy

Coles will not disclose any information contained in a submitted Fund application form to any person other than to the employees, consultants and advisors of Coles and their related bodies corporate who require access to the submitted Fund application forms for the purposes of evaluating the application and making a grant from the Fund.

The Coles Privacy Policy - <https://www.coles.com.au/privacy> - applies to personal information provided to Coles.

6. Decisions and determinations of Coles are confidential

The basis of any decision or grant of funds made by Coles arising out of or in connection with the Fund is confidential and Coles is not obliged to disclose to applicants the basis of its decision.

7. Coles is not liable

To the extent permitted by law, Coles and its related bodies corporate and their respective directors, officers, employees and consultants are not and will not be under any liability, whether arising from negligence or otherwise, for any representation contained in or any omission in respect of the Funds, the Guidelines or these Terms, nor will they be liable in of any error, inaccuracy, incompleteness or other defect in any application, the Guidelines or these Terms.

Notwithstanding any clause of the Terms, Guidelines, Coles is not liable for any consequential loss.

8. Tax Implications

Applicants are advised to seek advice from their financial adviser, tax adviser or the ATO regarding how any grant received under the Fund impacts on their Income tax or Goods and Services tax liability. Coles makes no representations or warranties with respect to any such taxation issues. So that there cannot be any confusion, if it is determined that any Income tax or Goods and Services tax is payable on receipt of any grant, it is your responsibility.

9. Governing Law

These Terms and Guidelines are governed by laws of Victoria, Australia.

10. Additional Information

Should you require any additional information, please see the Coles website www.coles.com.au (under *Helping drought affected farmers*) or email dairydroughtfund@coles.com.au