

**HAPS Challenge**

**Terms and Conditions of Entry – Phase 1**

## Background

Trusted Autonomous Systems Defence CRC (**TAS DCRC**), RMIT University (**RMIT**), SmartSat CRC (**SmartSatCRC**), and the Australian Department of Defence (**Defence**) are jointly hosting the High-Altitude Pseudo Satellite (HAPS) Challenge (**HAPS Challenge**).

The HAPS Challenge is being managed and administered by TAS DCRC and SmartSatCRC, and will be divided into two Streams, each executed across three Phases.

These terms and conditions of entry apply to Phase 1 (**Phase 1 T&Cs of Entry**) of Stream 1 and Stream 2 and should be read in conjunction with the HAPS Challenge Guidelines <https://www.rmit.edu.au/defence-aerospace/haps-challenge>.

Stream 1, provided by TAS DCRC, is focussed on the development of a HAPS system capable of exhibiting position control and endurance relevant to supporting persistent presence in an area of operations.

Stream 2, provided by SmartSatCRC, is interested in technologies that can provide a stable interface structure for a range of payloads deployed to the stratosphere as a precursor or augmentation to space-based solutions.

Further details on each Stream and Phase can be found in the Guidelines, including the total funding available under the HAPS Challenge.

Phase 1 of each Stream involves the submission of an initial concept design and supporting documentation, and will be assessed against the criteria set out in the Guidelines. These Phase 1 T&Cs of Entry apply to Phase 1 of each Stream.

Details of Phases 2 and 3 are also set out in the Guidelines. Phases 2 and 3 will have separate terms and conditions of entry that will be available on the HAPS Challenge website prior to the opening date for submissions for those Phases.

Without limitation to the terms and conditions of entry, in Phases 2 and 3:

* successful applicants may be required to grant an intellectual property licence to Defence relating to the Phase 2 and Phase 3 outcomes; and
* the provision of HAPS Challenge funding to successful applicants will be subject to the applicants entering a funding agreement with TAS DCRC (Stream 1) or SmartSatCRC (Stream 2).

## Acceptance of Phase 1 T&Cs of Entry

These Phase 1 T&Cs of Entry should be read in conjunction with the Guidelines which together form the conditions of entry in Phase 1 of the HAPS Challenge.

Eligibility to enter the HAPS Challenge will be determined in accordance with the criteria set out in the Guidelines. Without limitation, applications are open only to businesses based in Australia and with an Australian ABN, and to Australian publicly funded research agencies (PFRAs) and organisations.

Each submission must be made in accordance with the Guidelines and these Phase 1 T&Cs of Entry, and any submissions which are not may be deemed ineligible.

By providing a submission, each applicant agrees to be bound by the Guidelines and these Phase 1 T&Cs of Entry and confirms that they and the submission meet all applicable eligibility criteria.

Applicants may only provide one submission per Phase, and duplicate submissions will be disregarded. Applicants can submit separate applications to both Stream 1 and Stream 2 provided the submissions do not share any IP, and these submissions will be treated independently.

## How to submit

Submissions must be made in the manner and by the dates prescribed in the Guidelines. Any non-complying submissions may be ineligible for entry. The HAPS Challenge organisers take no responsibility for lost, late, or misdirected submissions.

Submissions will not be returned unless separate arrangements have been agreed with the HAPS Challenge organisers. On completion of Phase 1, all unsuccessful submissions will be destroyed.

Applications may be made at Phase 1, Phase 2 or Phase 3. Acceptance of applications for a later Phase without successfully applying for an earlier Phase is at the sole discretion of the HAPS Challenge organisers. Priority will be given to applications from applicants who were successful in the preceding Phase.

Applicants may provide one submission per organisation for each phase of the HAPS Challenge.

## Assessment of submissions

After the deadline has passed, all eligible submissions for each Stream will be assessed against the specific Stream criteria specified in the Guidelines by a selection panel convened by TAS DCRC and SmartSatCRC, comprised of members nominated by those bodies, including representatives from RMIT and Defence (**Selection Panel**).

If the assessment process identifies unintentional errors in a submission, TAS DCRC and/or SmartSatCRC may contact the applicant to correct or clarify the errors, but material alterations or additions to the submission cannot be made.

Applicants may be invited to pitch their submissions in person or by audio visual link at the discretion of the Selection Panel.

Applicants will be notified whether their submission was successful or not, and successful applicants will be invited to participate in Phase 2 of the HAPS Challenge.

The timelines in the Guidelines for the assessment of submissions and notification of those successful are indicative only and are subject to change.

A successful application in Phase 1 will make the applicant eligible to submit an application in Phase 2 but does not guarantee that the applicant will be successful in Phase 2 or receive funding. Participation in Phases 2 and 3 will be subject to the separate terms and conditions of entry for those Phases of the HAPS Challenge.

The Selection Panel’s decision is final in relation to the determination of successful Phase 1 submissions. The decision of TAS DCRC and SmartSatCRC is final in relation to all other matters.

## Intellectual Property

Each applicant will continue to own any intellectual property (including copyright) subsisting in its Phase 1 submission, but authorises TAS DCRC and SmartSatCRC to share that intellectual property and information regarding the submission (including personal information) with third parties for the purposes of conducting and administering the HAPS Challenge.

Each applicant also confirms that its entry into the HAPS Challenge does not breach the copyright or other intellectual property rights or privacy rights of any other person or organisation.

## Participant Requirements

To be eligible to participate in Phase 3 of Stream 1, a successful applicant must also apply and be accepted as a participant in TAS DCRC (if not already a participant). An annual fee is payable by all participants in TAS DCRC.

Applicants for funded Stream 2 phases must be either:

* a SmartSatCRC Participant; or
* a member of the Aurora Space Cluster[[1]](https://auc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=en-gb&rs=en-gb&wopisrc=https%3A%2F%2Ftasdcrc.sharepoint.com%2Fsites%2FHAPSChallengeExternalShare%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F33621bccde9e4c56b68ef6e0588350e6&wdenableroaming=1&mscc=1&hid=-563&uiembed=1&uih=teams&hhdr=1&dchat=1&sc=%7B%22pmo%22%3A%22https%3A%2F%2Fteams.microsoft.com%22%2C%22pmshare%22%3Atrue%2C%22surl%22%3A%22%22%2C%22curl%22%3A%22%22%2C%22vurl%22%3A%22%22%2C%22eurl%22%3A%22https%3A%2F%2Fteams.microsoft.com%2Ffiles%2Fapps%2Fcom.microsoft.teams.files%2Ffiles%2F3706198902%2Fopen%3Fagent%3Dpostmessage%26objectUrl%3Dhttps%253A%252F%252Ftasdcrc.sharepoint.com%252Fsites%252FHAPSChallengeExternalShare%252FShared%2520Documents%252FGeneral%252FT%2526C%2527s%252FHAPS%2520Challenge%2520Terms%2520and%2520Conditions%2520Phase1.docx%26fileId%3D33621bcc-de9e-4c56-b68e-f6e0588350e6%26fileType%3Ddocx%26ctx%3Dfiles%26scenarioId%3D563%26locale%3Den-gb%26theme%3Ddefault%26version%3D21021008600%26setting%3Dring.id%3Ageneral%26setting%3DcreatedTime%3A1616038450429%22%7D&wdorigin=TEAMS-ELECTRON.teams.files&wdhostclicktime=1616038450353&jsapi=1&jsapiver=v1&newsession=1&corrid=211ba7d0-cc84-4a8a-ae0a-59412e401a94&usid=211ba7d0-cc84-4a8a-ae0a-59412e401a94&sftc=1&sams=1&accloop=1&sdr=6&scnd=1&hbcv=1&htv=1&hodflp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Medium&ctp=LeastProtected#_ftn1), that meets the definition of a new or emerging Australian business operating within the space sector, or
* an entity that is collaborating with a SmartSatCRC Participant.

[[1]](https://auc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=en-gb&rs=en-gb&wopisrc=https%3A%2F%2Ftasdcrc.sharepoint.com%2Fsites%2FHAPSChallengeExternalShare%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F33621bccde9e4c56b68ef6e0588350e6&wdenableroaming=1&mscc=1&hid=-563&uiembed=1&uih=teams&hhdr=1&dchat=1&sc=%7B%22pmo%22%3A%22https%3A%2F%2Fteams.microsoft.com%22%2C%22pmshare%22%3Atrue%2C%22surl%22%3A%22%22%2C%22curl%22%3A%22%22%2C%22vurl%22%3A%22%22%2C%22eurl%22%3A%22https%3A%2F%2Fteams.microsoft.com%2Ffiles%2Fapps%2Fcom.microsoft.teams.files%2Ffiles%2F3706198902%2Fopen%3Fagent%3Dpostmessage%26objectUrl%3Dhttps%253A%252F%252Ftasdcrc.sharepoint.com%252Fsites%252FHAPSChallengeExternalShare%252FShared%2520Documents%252FGeneral%252FT%2526C%2527s%252FHAPS%2520Challenge%2520Terms%2520and%2520Conditions%2520Phase1.docx%26fileId%3D33621bcc-de9e-4c56-b68e-f6e0588350e6%26fileType%3Ddocx%26ctx%3Dfiles%26scenarioId%3D563%26locale%3Den-gb%26theme%3Ddefault%26version%3D21021008600%26setting%3Dring.id%3Ageneral%26setting%3DcreatedTime%3A1616038450429%22%7D&wdorigin=TEAMS-ELECTRON.teams.files&wdhostclicktime=1616038450353&jsapi=1&jsapiver=v1&newsession=1&corrid=211ba7d0-cc84-4a8a-ae0a-59412e401a94&usid=211ba7d0-cc84-4a8a-ae0a-59412e401a94&sftc=1&sams=1&accloop=1&sdr=6&scnd=1&hbcv=1&htv=1&hodflp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Medium&ctp=LeastProtected#_ftnref1) <https://smartsatcrc.com/partners/smartsat-aurora/>Further details of these participant requirements are set out in the Guidelines.

## Supporting Material

Supporting material made available on the HAPS Challenge website, such as in relation to regulatory and safety requirements, is provided for information and guidance only. Applicants are solely responsible for ensuring that their submissions meet all applicable laws and regulations.

## Contacting TAS DCRC and SmartSatCRC

Applicants must not make any unsolicited contact in relation to the content of their applications to the HAPS Challenge with TAS DCRC, SmartSatCRC, RMIT, or Defence or any of their officers, employees or agents for the duration of the HAPS Challenge.

Questions relating to HAPS Challenge rules or processes must only made be through approved channels as set out in the Guidelines. Questions and responses will be made available to all applicants as also set out in the Guidelines.

## Costs and expenses

There is no entry fee to participate in the HAPS Challenge.

Applicants will be solely responsible for any costs or taxes incurred in entering and participating in Phase 1 of the HAPS Challenge.

## Changes to HAPS Challenge

The HAPS Challenge organisers reserve the right, in their sole discretion, to modify, postpone, suspend, terminate or cancel the HAPS Challenge for any reason.

## Publicity

Applicants must not communicate with representatives of the press, television, radio or other media on any matter concerning the HAPS Challenge without the HAPS Challenge organisers’ prior written consent.

The HAPS Challenge organisers may announce the names of those making successful submissions. Confidential information relating to the concept submitted will not be published by the HAPS Challenge organisers.

## Liability

Except for any liability that cannot by law be excluded, TAS DCRC, SmartSatCRC, RMIT, Defence and their officers, employees, and agents will not be liable for any injury, damages, expenses, or loss whatsoever (whether direct or consequential) to persons or property as a result of any person entering the HAPS Challenge.

## Confidential Information

After making a submission, applicants must keep all information provided to them by TAS DCRC, SmartSatCRC, RMIT and Defence that relates to their submission and the HAPS Challenge strictly confidential, and applicants must not disclose such information without the prior written agreement of the HAPS Challenge organisers.

## Collection of information

TAS DCRC and SmartSatCRC will collect and use applicants’ personal information only for the purposes of conducting and promoting the HAPS Challenge as set out in these Phase 1 T&Cs of Entry, the Guidelines, the TAS DCRC privacy policy available at <https://tasdcrc.com.au/privacy-policy/>, and the SmartSatCRC privacy policy available at <https://smartsatcrc.com/app/uploads/AD-Policy-Privacy.pdf>.

## Further information

Visit HAPS Challenge website: <https://www.rmit.edu.au/defence-aerospace/haps-challenge>

All enquiries to: HAPS.Challenge@tasdcrc.com.au