



## **Search for Gems! Official Contest Rules**

- Employees of, members of the immediate family of, or those domiciled with an employee of the West End BIZ; its board and committee members; participating businesses; and the advertising agency are not eligible to participate. "Immediate family" is defined as parents, siblings, children or spouse.
- To be eligible to win a prize, claimant must be 18 years of age or older at the time of the contest closing.
- All entries become the property of the West End BIZ, which assumes no responsibility for lost entries. The West End BIZ reserves the right, at its sole discretion, to disqualify any individual (and all of his or her entries) who tampers with the entry process.
- By participating in "Search for Gems," the entrant fully and unconditionally agrees to abide by these official contest rules and the decisions of the West End BIZ, which are final and binding in all matters related to "Search for Gems."
- By entering this contest, entrants agree that in the event they are the winning entry for either the weekly or grand prizes, the West End BIZ can use their name and/or photograph in any publicity or advertisement carried out by the West End BIZ, without further remuneration.
- The West End BIZ reserves the right to suspend, cancel or modify the contest at any time, if it determines that for any reason the contest cannot be run as originally planned or if there is any other occurrence compromising the fairness or integrity of the contest.
- The contest is subject to all applicable federal, provincial and municipal laws. Void wherever prohibited by law.
- No purchase required to play or win.
- The West End BIZ is committed to protecting your privacy. Any personal information collected from you in the course of "Search for Gems" will be subject to the West End BIZ Privacy Policy posted on the Website, [www.westendbiz.ca](http://www.westendbiz.ca). Personal information will only be disclosed and used by the Released Parties for the purpose of administering the "Search for Gems," in accordance with these Official Rules.
- On the draw dates set forth for each week of the "Search for Gems" contest, the West End BIZ will select the potential winner for that week's weekly prize in a random draw from all eligible entries received during that week. The winners will be notified by phone. Similarly, for the grand prize the West End BIZ will select the winner in a random draw from all eligible entries received over the course of the contest. The winner will be notified by phone. All weekly winners are eligible for, and will be re-entered into the Grand Prize draw.
- Only one ballot per person, per location may be entered. Winners must have correctly solved a minimum of one clue to receive an entry ballot. Winners who have entered multiple ballots from the same location will be disqualified.
- Winners must continue to comply with the Official Rules and winning is contingent upon fulfilling all requirements. Each potential winner will be required to answer a time-limited, skill-testing question without assistance, in order to be eligible to receive their prize. Winners will be required to sign and return within 5 days of the date notice is given, a Declaration of Compliance and Release form in order to claim their prize, and to fulfill any such other requirements as determined by the West End BIZ. If there is no response or a potential winner fails to sign and return the Declaration of Compliance and Release form within the required time period, or fails to correctly answer the skill-testing question, the potential winner will be disqualified. In the event that a potential winner is disqualified for any reason,

the West End BIZ may select an alternate entrant in a random draw from among all remaining eligible entries.

- The “Search for Gems” start, end and draw dates, prize descriptions, age requirements, and other eligibility requirements are also set forth in the informational brochures containing the “Rules of Play,” available at all participating businesses and on the West End BIZ website.
- No substitution, exchange or transfer of prizes by winners. The West End BIZ reserves the right to substitute any prize for one of equal or greater value. The stated value of the grand prize is approximate retail value. Winners are responsible for all taxes and fees associated with prize receipt and/or use.
- Except where prohibited, by participating in “Search for Gems” entrants agree to release and hold harmless the West End BIZ and their respective parents, subsidiaries, affiliates, promotional partners, prize partners, providers and their respective agents and agencies, officers, directors, and employees (the “Released Parties”) from and against any claim or cause of action arising out of participation in “Search for Gems” or receipt or use of any prize, including, but not limited to: (a) errors in the administration of “Search for Gems” or the processing of entries; (b) injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from entrant's participation in “Search for Gems” or receipt of any prize. Entrant further agrees that in no event shall the Released Parties be liable for attorney's fees. Entrant waives the right to claim any damages whatsoever, including, but not limited to, punitive, consequential, direct, or indirect damages and any and all rights to have damages multiplied or otherwise increased. If for any reason an entrant's entry is confirmed to have been erroneously lost, or otherwise destroyed or corrupted, entrant's sole remedy is another entry in the “Search for Gems.” If it is not possible to award another entry due to the “Search for Gems” coming to an end, the West End BIZ in its discretion may elect to hold a random draw from among all eligible entries received up to the date of discontinuance for any or all of the prizes offered herein. No more than the stated number of prizes for “Search for Gems” will be awarded.
- Entrant agrees that: (i) any and all disputes, claims and causes of action arising out of or connected with “Search for Gems,” or any prizes awarded, shall be resolved individually, without resort to any form of class action, and exclusively by the Courts of Manitoba, Canada (ii) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, but in no event attorneys' fees; and (iii) under no circumstances will entrant be permitted to obtain awards for and entrant hereby waives all rights to claim punitive, incidental and consequential damages and any other damages, and any and all rights to have damages multiplied or otherwise increased.
- All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Contest Rules, or the rights and obligations of the entrant and the West End BIZ in connection with “Search for Gems,” shall be governed by and construed in accordance with the laws of the Province of Manitoba, without giving effect to any choice of law or conflict of law rules (whether of the Province of Manitoba or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the Province of Manitoba.