



# Virginia Lottery

## **DIRECTOR'S ORDER NUMBER ONE HUNDRED SIXTY-SEVEN (2020)**

### **VIRGINIA LOTTERY'S HOLIDAY GOLD OMNICHANNEL PROMOTION FINAL RULES FOR OPERATION.**

In accordance with the authority granted by §§ 2.2-4002B(15) and 58.1-4006A of the *Code of Virginia*, I hereby promulgate the Virginia Lottery's "Holiday Gold Omnichannel" Promotion ("Promotion") Rules to add extra value to the Virginia Lottery's two dollar (\$2.00) *Holiday Gold Scratcher*, introduce the new EZ Match feature of the *Cash 5 with EZ Match* game and drive Players to try games by creating a Virginia Lottery account. The Promotion opens on November 4, 2020, and closes on February 28, 2021. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of lottery games.

A copy of these rules may be requested by email using the Contact Us page on <https://www.valottery.com>. The rules are also available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 600 East Main Street, Richmond, Virginia, and at each of the Virginia Lottery offices. A copy may also be requested by mail by writing to: FOIA Officer, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on November 4, 2020, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

\_\_\_\_\_/s/Quan Kirk\_\_\_\_\_  
Quan Kirk, Deputy General Counsel

\_\_\_\_11/2/2020\_\_\_\_\_  
Date

\_\_\_\_/s/ Kevin Hall\_\_\_\_\_  
Kevin Hall, Executive Director

\_\_\_\_11/2/2020\_\_\_\_\_  
Date



## VIRGINIA LOTTERY'S HOLIDAY GOLD OMNICHANNEL PROMOTION OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to add extra value to the Virginia Lottery's two-dollar (\$2.00) *Holiday Gold Scratcher*, and introduce the new EZ Match feature of the *Cash 5 with EZ Match* Computer-generated game, and drive Players to try online Instant games by creating a Virginia Lottery Account. With this Promotion, Coupons, each redeemable for one (1) two-dollar (\$2.00) *Cash 5 with EZ Match Easy Pick* Ticket will be awarded.
- B. PROMOTION PERIOD:** This Promotion will begin November 4, 2020, and will end February 28, 2021 ("Promotion Period"). Coupons will be distributed from November 4, 2020, through February 15, 2021, or when all 4,000 Coupons have been issued, whichever occurs first. After February 28, 2021, all unredeemed Coupons expire and will hold no cash value.

**C. DEFINITIONS** (for purposes of this Promotion):

"Account" refers to a Player-specific account through which age and identity verification takes place and Account Features are accessed.

"Account Features" or "Features" refers to the options and activities available to a Player via his/her Account. Examples include, but are not limited to, Game purchase and play and promotion entry.

"Computer-generated Game" means a Virginia Lottery Game that is dependent upon the use of a Virginia Lottery Terminal in direct communication with a Mainframe computer operated by or at the direction of the Virginia Lottery.

"Coupon" means either a digital (which can be printed) or a printed Coupon containing a unique bar code that can be redeemed at retail for the value and product stated thereon prior to the Coupon's expiration date. A Coupon has no pecuniary or Prize value and shall not constitute evidence of a Ticket purchase or of numbers selected until redeemed.

"Director" means the Executive Director of the Virginia Lottery as established in Chapter 40 of Title 58.1 (§58.1-4000 *et seq.*) of the *Code of Virginia* or any other employee(s) to whom the Executive Director's authority is lawfully delegated.

"Easy Pick" means a Game feature that allows a Player to have the gaming system randomly select his or her numbers for an individual Play. The designation "EP" is printed on a Ticket to denote an Easy Pick Play.

"Lottery" means the Virginia Lottery.

"Lottery Board" means the group of seven (7) people, appointed by the Governor of Virginia, with the power to adopt regulations governing the establishment and operation of the Virginia Lottery and to perform other functions that are set out in the *Code of Virginia*.

“Lottery Retailer”, “Lottery Sales Retailer”, or “Retailer” means a person licensed by the Virginia Lottery to sell and dispense Virginia Lottery Tickets, materials and games.

“Participant” or “Player” means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase or otherwise validly enters a Promotion according to one of the approved Entry methods stated in the Promotion Rules.

“Person” means a natural person and may not extend to or be applied to a corporation, company, partnership, association or other entity.

“Present at the Terminal” means that a Player remains physically present at the Virginia Lottery Terminal from the time the Player’s order for a Ticket is accepted by the Virginia Lottery Retailer, through completion of the order processing, payment, and delivery of the Ticket to the Player. Players must be present at the Terminal for any purchase.

“Promotion” means the “added value” offer to consumers or licensed retailers named in the title at the top of Page 1 of these Rules.

“Promotion Rules” or “Rules” means these rules.

“Recipient” means a verified Person who is entitled, to receive a Coupon under the rules of a Promotion.

“Self-service Vending Machine” or “Vending Machine” means an interactive device by which a Player may select a game, purchase a Ticket, and/or receive a Promotion Entry Form, without the help of a clerk at a Virginia Lottery Retailer or an employee at a Virginia Lottery office or other approved location.

“Terminal” means a device that is authorized by the Virginia Lottery to interact with the Virginia Lottery’s central computer system to issue Virginia Lottery Tickets and/or Entry Forms and to enter, receive and process Virginia Lottery transactions that may include issuing Tickets, validating Tickets and Coupons and transmitting reports.

“Ticket” means a game ticket produced by the Lottery’s gaming system and sold by the Lottery for a particular game.

#### **D. ELIGIBILITY:**

1. This Promotion is open to Players eighteen (18) years of age or older who is registered for a Lottery Account for the first time during the Promotion Period. A Player will be required to provide proof of his/her date of birth.
2. No officer, employee or Board member of the Lottery, or any officer or employee or board member of any vendor to the Lottery of computer-generated or scratch game goods or services working directly on a contract with the Lottery for such goods or services, or any person residing in the same household of any such board member, officer or employee, or any person under the age of eighteen (18) years, shall be eligible to participate in this Promotion. The Lottery will not award a Prize on an Entry submitted by, for, or gifted to or transferred to anyone under eighteen (18) years of age, or to the transferee of such Person.
3. Registrants whose Accounts are rejected during the registration process will not be eligible to receive a promotional Coupon.
4. Players who have an active Lottery Account prior to the Promotion Period are not eligible for this Promotion.

**E. PROMOTION ENTRY AND COUPON ISSUANCE:** To participate in this Promotion, a Player must purchase one (1) two-dollar (\$2.00) *Holiday Gold Scratcher* **and** create a new Lottery Account during the Promotion Period.

Players will need to enter the Promo Code found on the back of his/her *Holiday Gold Scratcher* when creating their Lottery Account.

Players who successfully create a Lottery Account **and** enter the applicable Promo Code from November 4, 2020 through February 15, 2021, will receive one (1) Coupon redeemable for one (1) two-dollar (\$2.00) *Cash 5 with EZ Match Easy Pick Ticket*, subject to availability. The Coupon will be delivered via the email address associated with the Account which can be printed or scanned from a mobile device.

Players may receive only one (1) Coupon during this Promotion, subject to availability..

The Recipient must redeem their Coupon by presenting it at a Terminal or Vending Machine at a licensed Virginia Lottery retail location during the Promotion Period in order to receive their free two-dollar (\$2.00) *Cash 5 with EZ Match Easy Pick Ticket*.

**F. COUPON DESCRIPTION AND DETAILS:**

1. Up to four thousand (4,000) Coupons will be awarded during the Promotion period.
2. Each Coupon contains a unique single-use redemption barcode and can only be validated at a Lottery Retailer (by remaining Present at the Terminal) or via a Self-Service Vending Machine. Efforts to redeem a Coupon that has already been redeemed will result in an error message on the gaming terminal/machine.
3. Coupons issued as part of this Promotion are not transferable, assignable, or redeemable for cash.
4. A Person shall not enter the Promotion on behalf of another Person. Such request shall be deemed invalid.
5. A Player may only register one (1) Account in his/her name and will be subject to the Virginia Lottery Account Terms and Conditions.
6. The Lottery will not mail printed Coupons.

**G. CANCELLATION POLICY:**

Canceled Coupon Issuance: The Director may, in the Director's sole discretion, cancel the issuance of Coupons on days when conditions make fulfillment of Coupons impractical or inappropriate and may elect to issue Coupons at such times and dates, and pursuant to such methods, as the Director may determine, all with the Director's sole discretion. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such re-schedule or cancellation.

Termination of Promotion: The Director may, at any time, announce a suspension or termination of this Promotion, without advance notice and in the Director's sole discretion, at which point no further Coupons will be generated and no free Tickets shall be awarded. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such suspension/termination.

**H. DISPUTES:** The Director may refrain from awarding/paying a Prize pending final determination under any of the following circumstances:

- if a dispute related to any Prize occurred or if it appears that a dispute may occur;
- if there is any question regarding the identity of the Claimant; or
- if there is any question regarding the validity of any Entry submitted.

No liability for interest arising because of any such delay, or any delay beyond the Lottery's control, shall accrue to the benefit of the Prizewinner pending award/payment of the Prize. The Lottery is neither liable for, nor has it any responsibility to resolve, disputes between or among competing Claimants.

In the event of a dispute or other instance of doubt, the decision of the Director shall be final and binding.

**I. GOVERNING LAW:** By participating in this Promotion, each person agrees to comply with and abide by the Lottery statutes, Lottery regulations, all final decisions of the Director of the Lottery, and these and any other applicable Rules established by the Lottery Board and/or Director of the Lottery for the conduct of this Promotion. Any dispute arising that relates to any aspect of this Promotion shall be governed by the laws of the Commonwealth of Virginia, and the venue for the determination of any such dispute shall be in the city of Richmond, Virginia. This Promotion is void where prohibited by law.

**J. WAIVER OF CLAIMS:** By entering this Promotion, each Recipient agrees to indemnify, hold harmless, and waive any claims against the Lottery and any of the affiliates, employees, directors, officers, agents, representatives and assigns of any of said entities, arising, directly or indirectly, out of, or in any way connected with, this Promotion or the Coupons awarded in connection therewith.

**K. AMERICANS WITH DISABILITIES ACT ("ADA"):** The Lottery is not responsible for any third party's compliance with ADA Rules and Regulations where applicable in connection with a Coupon.