

# **“LUCKY DAYS 2019” PRIZE DRAW RULES**

## **ARTICLE 1 - RECITALS**

POINT S DEVELOPMENT, an SAS with a capital of EUR 418,000, registered with the Lyon Trade and Companies Register under number 491 028 627 00025, having its registered office at 9 rue Curie 69006 Lyon (hereinafter the “Organising Company”), has decided to organise, in several European countries, a purchase necessary prize draw, as part of a promotional campaign on the sale of tyres (hereinafter “*Lucky Days*” or the “Prize Draw”), rewarding customers in accordance with the terms and conditions set forth hereafter.

## **ARTICLE 2 - PURPOSE**

The purpose hereof is to define the rules applicable to the “*Lucky Days*” campaign. Failure to comply with the conditions governing participation set forth in these rules will render participation null and void.

Participation in the Prize Draw implies full and unconditional acceptance of these rules.

## **ARTICLE 3 - DURATION, TERRITORY AND ADVERTISING THE CAMPAIGN**

The Lucky Days will take place from 1 April 2019 until 31 May 2019 inclusive, in the following countries: Germany, Belgium, Denmark, Estonia, Finland, France, Hungary, Italy, Luxembourg, Norway, Poland, Portugal, the Czech Republic, Romania, the United Kingdom, Slovakia, Slovenia, Sweden.

The campaign is advertised in all participating points of sale using a communication kit composed of: 1 totem, 1 poster, 1 counter POS advertisement with brochure stand, informative brochures.

All authorisations required by national legislation have been requested by the Organising Company, in particular in Poland and Portugal.

## **Article 4 – CONDITIONS GOVERNING ENTRY AND PARTICIPATION**

### **4.1. Entry conditions**

To validly participate in the Prize Draw, a participant must meet the following conditions:

- Be an adult individual residing in one of the countries organising the Prize Draw. Participation in the Prize Draw is limited to one per household (same name, same postal and/or email address) for the entire duration of the Prize Draw.
- The customer must not be connected to the point of sale. This excludes employees and managers of the point of sale, members of the Point S network, members of companies involved in preparing the campaign, printing promotional media and organising the promotional campaign, as well as the families of all of these people.

### **4.2. Conditions governing participation**

To participate, the customer must respect all of the conditions set forth hereafter.

*a. Prior purchase of Point S or Goodyear tyres*

The Prize Draw is open to any customer who purchases two (2) Point S or Goodyear tyres in a participating Point S point of sale, between 1 April 2019 and 31 May 2019 inclusive, in one of the countries listed in Article 3. By way of exception, this purchase obligation does not apply to Sweden due to legal constraints.

Any customer who wishes to participate is informed that collection of a prize is subject to proof of this purchase. It is specified that the only acceptable proof is an invoice in the participant's name. It is therefore the responsibility of any customer wishing to participate in the Prize Draw to keep said invoice.

*b. Entry form*

Any customer wishing to participate in the Prize Draw must visit the website [luckydays.point-s.com](http://luckydays.point-s.com) and complete the entry form available.

To be valid, the entry form must be completed by the customer, who must provide all of the following information:

- Title
- Surname
- First name
- Address / Postcode / Town/City
- Country
- Email address
- Mobile telephone No.
- Purchase date
- Name and location of the POINT S point of sale where the tyres were purchased
- Selection of the brand of the 2 tyres purchased by ticking one of the boxes: Point S or Goodyear

Any participation not fully completed by the participant will be considered null and void and cannot entitle said participant to a prize.

*c. Validation of entry*

Being informed of all of these conditions, participants expressly agree to the processing of their personal data in the context of the Prize Draw. Said consent is given by ticking a box on the entry form:

- I acknowledge that I accept all terms of the "Lucky Days" campaign rules and agree to the processing of my personal data for this purpose.

Participants can also agree to processing for advertising and/or promotional purposes by ticking the following box on the entry form:

- I agree to be contacted by the Organising Company for advertising and/or promotional purposes

In the event that a participant does not tick the first box, his participation will be considered invalid and he will therefore be unable to validate his entry form. In the second case, it is specified that participants are free to choose not to tick the box.

If fraud of any kind comes to light, in particular if an individual enters several times during the duration of the Prize Draw, the Organising Company reserves the right to completely cancel the fraudulent participant's entry.

The "*Lucky Days*" are reserved solely for customers of Point S networks, residing in one of the following countries: Germany, Belgium, Denmark, Estonia, Finland, France, Hungary, Italy, Luxembourg, Norway, Poland, Portugal, the Czech Republic, Romania, the United Kingdom, Slovakia, Slovenia, Sweden.

## **ARTICLE 5 – THE ALLOCATION OF PRIZES**

For "*Lucky Days*", the following prizes are proposed:

- For the "Europe" zone<sup>1</sup>: 1 JEEP COMPASS Longitude Business Diesel 120 horsepower (retail price EUR 32,800 including all taxes)
- For the "Italy" zone<sup>2</sup>: 1 JEEP COMPASS Longitude Business Diesel 120 horsepower (retail price EUR 32,800 including all taxes)

*According to certain national regulations, when a prize is allocated, the winner may be required to pay a tax. The Organising Company cannot pay said taxes which, in accordance with the national regulation, are payable by the winner. This is notably the case in Hungary, Slovakia and Slovenia*

A prize draw will take place on 30 June 2019 by a court bailiff appointed by the Organising Company to select a winner for the "Europe" zone and a winner for the "Italy" zone. The draw for the winner of the "Italy" zone will take place in Italy.

**Following the prize draw, the winners will be informed by email and their name will be published on the website: [luckydays.point-s.com](http://luckydays.point-s.com). To claim their prize, winners should follow the procedure detailed in the prize email, by 10 September 2019 at the latest, proof of purchase being necessary in order for the prize to be awarded: the invoice proving the purchase of 2 tyres in the Point S network, dated between 1 April 2019 and 31 May 2019 inclusive. This procedure applies to all countries except Sweden. The name of the beneficiary mentioned on the invoice must be identical to that mentioned on the entry form on the website.**

The prizes won must be accepted as they are and cannot be refunded or exchanged, or be the subject of monetary consideration.

The Organising Company reserves the right to replace the prize(s) with another prize or other prizes of the same value, if circumstances outside its control make it necessary.

In the event that a winner is unable to collect his prize, in particular if proof of purchase is not communicated to the Organising Company, there are two possible scenarios depending on the zone concerned:

- For the "Europe" zone: the winner cannot appoint a third party to benefit therefrom and the prize will automatically become the property of the Organising Company, without any claim being possible.

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<sup>1</sup>The "**Europe**" zone includes the following countries: Germany, Belgium, Denmark, Estonia, Finland, France, Hungary, Luxembourg, Norway, Poland, Portugal, the Czech Republic, Romania, the United Kingdom, Slovakia, Slovenia, Sweden.

<sup>2</sup>The "**Italy**" zone includes the entire Italy territory.

- For the "Italy" zone, the winner cannot appoint a third party to benefit therefrom and the prize will be given to the charity Save the Children Italia Onlus (<https://www.savethechildren.it>), telephone No.: (+39)06.4807.001, email address: [info.italia@savethechildren.org](mailto:info.italia@savethechildren.org) Via Volturmo, 58 - 00185 Roma without any claim being possible.

## **ARTICLE 6 – COMMUNICATION ON THE LUCKY DAYS CAMPAIGN**

A publication will be made at the end of the "*Lucky Days*" which may include photographs of the points of sale and the winner(s) and the winner's/winner's surname(s) first name(s) and country(ies) of residence, without this entitling the winner(s) to any remuneration, right or other advantage other than the prize rewarded.

This communication authorisation will be given for each participant by filling out the information on the "*Lucky Days*" entry form and ticking the box regarding the terms of conditions of the rules, as set forth in the summary of the entry form and on the poster, and in detail in the Prize Draw rules, present in each Point of Sale.

## **ARTICLE 7 - PERSONAL DATA**

In accordance with the French Data Protection Act (law No. 78-17) of 6 January 1978, as amended, and the General Data Protection Regulation No. 2016/679 of 27 April 2016 ("GDPR"), participants have been informed that the Organising Company, as data controller, will automatically process the Prize Draw participants' personal data.

Participants give their free and informed consent to the Organising Company to collect their personal data during their participation in the Prize Draw. It is specified that the data controller uses a subcontractor which will process the personal data provided on the website [luckydays.point-s.com](http://luckydays.point-s.com), in particular for the management of prizes awarded under this promotional campaign. This subcontractor is a communication and operational marketing agency, specialised in network coordination, sales promotions and the digital field. It is specified that this subcontractor has signed a service agreement with the data controller, defining the scope of management of personal data collected as part of this promotional campaign.

The purpose of the data processing is to organise the "Lucky Day" promotional campaign. Subject to the participant's consent, the purpose of this processing will be to send information and offers regarding services provided by the POINT S network, in the context of future marketing/advertising campaigns.

The personal data collected is intended for use solely by POINT S DEVELOPMENT, the point of sale in which the purchase was made and the management company for the prize draw, and cannot be used by a third party.

Participants' personal data will be kept, in Europe, for a maximum duration of 36 months as from collection thereof, without prejudice to each participant's rights to give instructions regarding use of his personal data, after his death. With respect to the personal data of Italian participants, it will be held in Italy.

In accordance with the French Data Protection Act of 6 January 1978, as amended, and the GDPR, each participant benefits from the right to access, rectify or request erasure of his personal data and to portability thereof, and to restrict or object to processing of his data, in accordance with the conditions and limits provided for by regulations. These rights can be exercised by contacting the Organising Company at the address provided at the start of these regulations or by sending an email to [dpo@points-development.com](mailto:dpo@points-development.com).

If a participant exercises his right to object to data processing before the end of the Campaign, said participant waives his right to participate. Participants are entitled to bring a claim before the CNIL (French Data Protection Authority).

In accordance with Article 40-1-II of the Data Protection Act of 6 January 1978, as amended, a participant can give the Organising Company specific instructions regarding use of his personal data after his death.

Participants are aware that, if they do not wish to be prospected by telephone, they can object thereto by entering their landline or mobile telephone numbers on the free Robinson list which can be accessed on the website [www.bloctel.gouv.fr](http://www.bloctel.gouv.fr).

Being informed of all of these conditions, participants expressly agree to the processing of their personal data in the context of the Prize Draw. Said consent is given by ticking a box on the entry form:

- I acknowledge that I accept all terms of the “Lucky Days” campaign rules and agree to the processing of my personal data for this purpose.

Participants can also agree to processing for advertising and/or promotional purposes by ticking the following box on the entry form:

- I agree to be contacted by the Organising Company for advertising and/or promotional purposes.

## **ARTICLE 8 - MISCELLANEOUS PROVISIONS**

### **8.1 – Liability**

Participants are fully responsible for their participation in the Prize Draw.

POINT S DEVELOPMENT cannot be held liable if, in the event of force majeure or events outside its control (in particular in the case of technical or IT problems etc.) disrupting the organisation and management of “*Lucky Days*”, it has to shorten, extend, postpone, modify or cancel this promotional campaign for tyres. Nonetheless, any modification will be the subject of an amendment filed with Maître Stéphane Bernigaud, court bailiff, SELARL A3 JURIS 84 rue de la Part-Dieu 69003 Lyon.

The Organising Company cannot be held liable for any Internet malfunction preventing the smooth running of the Prize Draw.

Any person accessing the website and participating in the Prize Draw accepts full responsibility for doing so. The Organising Company draws the participants’ attention to the fact that they are responsible for information declared on the website with their profile.

The Organising Company can cancel or suspend all or part of the Prize Draw if it comes to light that fraudulent behaviour of any kind has taken place, in particular related to IT, in the context of participation in the Prize Draw. In this case, it reserves the right not to allocate the prizes to any fraudsters.

In any case, if the smooth administrative and technical running of the Prize Draw is disrupted by a virus, computer bug, unauthorised human intervention or any other cause outside the Organising Company’s control, the latter reserves the right to discontinue the Prize Draw.

No request for a refund can be made to the Organising Company, either for the costs of accessing the website, or postal costs.

#### 8.2 - Governing law

The “*Lucky Days*” and these Rules are governed by French law.

All disputes regarding the validity or interpretation and enforcement of these rules will fall under the exclusive jurisdiction of the Lyon Commercial Court.

#### **ARTICLE 9 - RULES**

These rules have been filed with Maître Stéphane Bernigaud, court bailiff, SELARL A3 JURIS 84 rue de la Part-Dieu 69003 Lyon.

They can be consulted free of charge, until the prize draw, in points of sale participating in the campaign and at the following address in French, Swedish and English: <http://www.fdb-huissiers.fr/jeux-et-concours-redaction-d-un-reglement.php>.