

Smart Commute Toronto My Smart Commute Contest

Official Contest Rules and Regulations:

By participating in the Smart Commute Toronto My Smart Commute Contest ("**Contest**"), you (the "**Entrant**") agrees to be legally bound by these Official Contest Rules and Regulations (the "**Rules**").

1. Contest Period

The Contest begins on Thursday, April 21, 2022 at 12:00 A.M. Eastern Time (ET) and ends on Friday, September 30, 2022 at 11:59 P.M. ET (the "**Contest Period**").

2. Eligibility

The Contest is open to those who are eighteen (18) years of age or older at the time of entry, have not won any award or prize in any other Smart Commute Toronto contest in the 2022 calendar year, except the following:

- a. an officer, director, or elected official of the City of Toronto (the "**City**") or its Agencies, Boards and Commissions;
- b. an employee, officer, or director of City's Environment and Energy Division, UrbanTrans or pointA.

3. How to Enter

To enter the Contest an Entrant must i) register for the My Smart Commute Newsletters and ii) complete the My Smart Commute Feedback Form.

You will be required to provide the City with your name, work email address and phone number to be eligible for the contest.

The City will determine, in its sole discretion, what constitutes non-relevant and inappropriate content and may remove entries from the Contest without notice.

NO PURCHASE OR PARTICIPATION FEE NECESSARY.

4. Entry Limits

There is a limit of one (1) Entry per person during the Contest Period. If it is discovered by the City (using any evidence or other information made available to or otherwise discovered by the City) that any person has attempted to: (i) exceed any of the limits provided in these Rules; and/or (ii) use multiple names, identities, email addresses, Accounts and/or any automated, macro, script, robotic or other system(s) or program(s) to enter or otherwise participate in or to disrupt this Contest; then he/she may be disqualified from the Contest in the sole and absolute

discretion of the City. Your Entry may be rejected if (in the sole and absolute discretion of the City) it is not submitted and received in accordance with these Rules during the Contest Period.

All Entries and entrants are subject to verification at any time and for any reason. The City reserves the right, in its sole and absolute discretion, to require proof of identity and/or eligibility (in a form acceptable to the City – including, without limitation, government issued photo identification): (i) for the purposes of verifying an individual's eligibility to participate in this Contest; (ii) for the purposes of verifying the eligibility and/or legitimacy of any information submitted (or purportedly submitted) for the purposes of this Contest; and/or (iii) for any other reason the City deems necessary, in its sole and absolute discretion, for the purposes of administering this Contest in accordance with these Rules. Failure to provide such proof to the complete satisfaction of the City within the timeline specified by the City may result in disqualification in the sole and absolute discretion of the City. The sole determinant of the time for the purposes of this Contest will be the City's Website server machine(s).

5. Winning

A random draw will be used to determine the winner of the Contest. Each Entrant shall be eligible to win only once. There will be six (six) monthly prize draws (April 2022 – September 2022) with three (three) prizes per month to be won. The total number of prizes available is eighteen (18) over the course of the six month period. Odds of winning the random draw depends on the number of eligible entries received.

The City will notify the winners exclusively by email within 30 calendar days after each monthly prize draw. The City shall not be held liable for the winner's failure to receive the notice that they have won.

Failure of the winner to claim the prize within 30 calendar days from the time the award notification was sent, show proper identification, complete a skills-based test, and complete and execute a declaration and release as required may result in the forfeiture of the prize.

Prizes must be claimed in person by the winners at 55 John St, Toronto, Ontario. If no response is received within the required time, the winner will be disqualified and another webinar participant will be selected.

City staff may ask the winner to have a photograph taken with their prize. Winners' names and photographs may be published in promotional materials directly related to the Contest and may be publicized in any other reasonable manner the City considers appropriate for the purposes of the Contest.

The City collects personal information for the Contest under the legal authority of *City of Toronto Act*, S.O. 2006, Chapter 11, Schedule A, s. 136 (c). The information will be used as described in these Rules and to contact you about your submission to the Contest. Questions about this collection can be directed to the Senior Co-ordinator, Communications & Consultations, Metro Hall, 55 John Street, 19th Floor, Toronto, Ontario, M5V 3C6 or by phone at 416-338-2830.

6. Prizes

There will be a total of eighteen (18) gift cards valued at \$50.00 to be rewarded as a prize.

There are no early bird prizes.

The specifics of the prize shall be solely determined by the City of Toronto. The City of Toronto reserves the right to substitute a prize or a prize component with one of equal or greater quality/value. No cash or other prize substitution permitted except at the City of Toronto's

discretion. The prize is non-transferable. Any and all prize related expenses, including without limitation any and all federal, provincial, and/or local taxes shall be the sole responsibility of the winner. No substitution of prize or transfer/assignment of prize to others or request for the cash equivalent by winners is permitted. Acceptance of a prize constitutes permission for the City of Toronto to use winner's name, likeness, and photo entry for purposes of advertising without further compensation, unless prohibited by law.

7. Additional Details

The decision of the City with respect to all aspects of this Contest are final and binding on all Entrants without right of appeal.

The City reserves the right, at its complete discretion and without prior notice, to cancel or modify the Contest in the event that, in its opinion, the holding of the Contest would be prevented for one reason or another, including a technical failure or breakdown, an unauthorized intervention, fraud or any other cause beyond the control of the City which would compromise the management, security, impartiality, integrity or smooth running of this Contest.

This Contest is null and void where prohibited by law. Any dispute regarding the organizing or conduct of this Contest may be submitted to the Executive Director, Environment and Energy Division who may be contacted by dialing 311 on your phone or emailing eed@toronto.ca.

The City is not responsible for late, lost, misdirected, or delayed entries. Without limitation, the City of Toronto and its affiliates will not be liable for the failure of any entry to be received.

The City is not responsible for computer system, hardware, software or program malfunctions or other errors, failures, or delayed computer transactions or network connections that affect the Contest or your participation in it. Furthermore, the City is not responsible for: 1) lost, misdirected, misplaced, illegible, unintelligible, incomplete or late Entries or 2) any act, failure to act, or delay regarding the transmitting or processing of Entries. The City is also not responsible for any technical delays in submission emails, Entries and/or uploads and updates.

The City reserves the right to disqualify any participant that the City has reason to believe does not comply with the Rules. If after the awarding of the Contest prizes a Contest winner is disqualified or determined to be ineligible, an alternate winner will be selected using the same process described above. Alternate winners are subject to all requirements set forth in these Rules.

The City reserves the right to change or alter these Rules in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11 ("**AODA**").

The City is entitled to interpret these Rules as required and its decisions are final.

For more information, please read these Rules or contact Kyle Leetham, Smart Commute Program Manager, scommute@toronto.ca.

By participating in the Contest, the Entrant agrees to hold harmless the City and its employees, agents and representatives from any and all damages, injuries, claims, causes of actions, or losses of any kind resulting from the participant's participation in this Contest, including infringement of another person's intellectual property rights. The Entrant also releases the City and its employees, agents and representatives from any responsibility or liability for any damages, injuries, claims, causes of action, or losses of any kind the participant may incur or suffer arising in whole or in part from participation in this Contest.

This Contest is subject to all applicable federal, provincial and municipal laws and regulations including but not limited to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 ("**MFIPPA**"). These Rules are subject to change without notice in order to comply with any applicable federal, provincial and municipal laws or the policy of any other entity having jurisdiction over the Contest.

Any and all disputes arising from the Contest will be resolved in the courts of the Province of Ontario and are subject to the laws of that Province.

8. Contest Organizer

The organizer of the Contest is the City of Toronto:

Outreach & Engagement, Environment & Energy Division, City of Toronto

Metro Hall

55 John St.

Toronto, ON M5V 3C6