



*nationalcupcakeday.ca*

## National Cupcake Day™ for SPCAs & Humane Societies Early Bird Prize Rules and Regulations

**1. ENTRANT ELIGIBILITY:** To become an entrant (the “Entrant(s)”) and be eligible to win the Prize, a person must, at the time of entry into the Contest and at the time of awarding the Prize (a) have filled out the entry form including all required information; (b) be a resident of British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, Newfoundland & Labrador or Nova Scotia; and (c) be of the age of majority in the province he or she resides. Employees, officers and directors (including related parties or of the same household) of any participating SPCA or Humane Society, are not eligible to win the Prize.

**2. CONTEST PERIODS:** The Contest commences at 12:00:01 AM (ET) on December 1, 2019 and will end at 11:59:59 PM (ET) on January 20, 2020 (the "**Contest Period**"). All Entries (defined below) must be received during the Contest Period by no later than 11:59:59 PM (ET) on January 20, 2020 (the "**Contest Closing Date**").

**2. HOW TO BECOME AN ENTRANT:** To become an Entrant, you must:

- a. Visit [www.nationalcupcakeday.ca](http://www.nationalcupcakeday.ca)
- b. Follow the instructions to register.
- c. Complete the online registration form.
- d. Raise at least \$150 in confirmed online pledges by the end of the Contest Period.
- e. See below for limitations and Submission Requirements.

**4. LIMIT OF NUMBER OF ENTRIES:** There is a limit of one (1) Entry per person/email address, per Contest Period (defined as 12:00:01 am ET to 11:59:59 pm ET) during the Contest Period. Entrants may use only one (1) e-mail address to enter and any Entries generated by script, macro, robotic, programmed, or any other automated means or by any other means which in the opinion of the Sponsor in its sole and absolute discretion subvert the entry process are void. If it is discovered that any person has attempted to submit one or more Entries otherwise than in accordance with these Rules, all Entries submitted by that person are subject to disqualification in the sole and absolute discretion of the Sponsor. In the event of a dispute as to who submitted an Entry, it will be in the sole and absolute discretion of the Sponsor (using whatever evidence is available to the Sponsor) to determine which Entrant, if any, is eligible to win a Prize. Proof of transmission (screenshots or captures etc.) does not constitute proof of delivery.

All Entries are subject to verification at any time. The Sponsor reserves the right, in its sole and absolute discretion, to require proof of identity and/or eligibility (in a form acceptable to the Sponsor – including, without limitation, government issued photo identification) to participate in this Contest. Failure to provide such proof to the satisfaction of the Sponsor in a timely manner may result in disqualification. The sole determinant of the time for the purposes of a valid Entry in this Contest will be the Contest server machine(s).

*Save an animal by doing something sweet.* 

Organized by: Ontario SPCA, 16586 Woodbine Avenue, Stouffville, ON L4A 2W3. Charitable Tax # 88969-1044-RR0002



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The Ontario Society for the Prevention of Cruelty to Animals (OSPCA) is not responsible, whether as a result of human error or otherwise, for any failure to capture pledges. All Entries (and each component thereof) must be in “good taste” and must not be offensive, as determined in the sole and absolute discretion of the Sponsor. **For greater certainty, only the potential Entrants who submitted an Entry (as outlined above) will be eligible to win a Prize.**

**5. THE PRIZE:** Prize must be accepted as awarded and cannot be transferred, substituted or redeemed for cash. Prize will only be awarded to the person whose full name and valid email address appears on the official Contest entry form. Please allow 4 to 6 weeks to arrange the Prize from the date of being declared the confirmed winner in accordance with these Rules.

**6. THE WINNER:** The eligible Prize winner will be selected from all eligible Entries received during the Contest Period based on the highest amount of confirmed donations to each of the team member’s fundraising pages. Confirmed donations constitute either (1) successful credit card transactions through the Entrant’s personal page or (2) successful clearing of cheques made out to National Cupcake Day or the in support of the Entrant’s fundraising campaign. Cash donations will not be counted. All donations must be received within the Contest Period to be counted.

The Sponsor or its designated representative will make a maximum of three (3) attempts to contact the selected entrant by email (using the information provided at the time of entry) within fourteen (14) days of selection. If the selected entrant cannot be contacted within the maximum three (3) attempts or fourteen (14) days of the selection (whichever occurs first), or if there is a return of any notification as undeliverable; then that selected entrant will be disqualified (and will forfeit all rights to the Prize) and the Sponsor reserves the right, in its sole and absolute discretion, to randomly select an alternate eligible Entrant from among the remaining eligible Entries (in which case the foregoing provisions of this section shall apply to such new selected Entrant).

In order to be declared the confirmed winner of the Prize, the selected entrant will be required to: (a) sign and return within ten (10) business days of notification the Sponsor’s declaration and release form, which (among other things): (i) confirms compliance with these Rules; (ii) acknowledges acceptance of the Prize as awarded; (iii) releases the Releasees (defined above) from any and all liability in connection with this Contest, his/her participation therein and/or the awarding and use/misuse of the Prize or any portion thereof; and (iv) agrees to the publication, reproduction and/or other use of his/her name, address, voice, statements about the Contest and/or photograph or other likeness without further notice or compensation, in any publicity or advertisement carried out by or on behalf of the Sponsor in any manner whatsoever, including print, broadcast or the internet. If the selected entrant: (a) fails

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to return the properly executed Contest documents within the specified time; and/or (b) cannot accept the Prize for any reason; then he/she will be disqualified (and will forfeit all rights to the Prize) and the Sponsor reserves the right, in its sole and absolute discretion, to randomly select an alternate eligible Entrant from among the remaining eligible Entries (in which case the foregoing provisions of this section shall apply to such new selected Entrant).

**7. LIMITS OF RESPONSIBILITY:** By entering this contest, the winner acknowledges and agrees that the OSPCA shall have no liability and the contest winner hereby agrees to release them and hold them harmless from any liability arising from or relating to this contest or the awarding or use of the prizes. By entering this contest, you consent to the OSPCA using the personal information submitted with your entry for the purpose of administering this Contest and for the purposes of contacting you in the future, subject to compliance with applicable privacy legislation.

**8. OTHER RULES:** The OSPCA shall not bear any liability for contest entries which are lost, stolen, delayed, destroyed or illegible, incomplete or otherwise improperly completed, or claims that are irregular, have been submitted through illicit means or do not conform with or satisfy any or all conditions of these Official Rules. Any such claims will be judged void. By entering, each entrant agrees to abide by the Official Rules and the decisions of the independent judging organization which shall be final and binding in all matters related to this contest. All entries, including photos, become the property of the OSPCA which assumes no responsibility for lost, stolen, delayed, damaged or misdirected entries or for any failure of the website during the promotional period, for any problems or technical malfunction of any telephone network or lines, computer on-line systems, servers, access providers, computer equipment, software, failure of any email or entry to be received on account of technical problems or traffic congestion on the Internet or at any website, or any combination thereof, including any injury or damage to an entrant's or any other person's computer related to or resulting from playing or downloading any material in the promotion. The OSPCA reserves the right, in its sole discretion, to cancel or suspend the contest should a virus, bug or other cause beyond the reasonable control of the OSPCA, corrupt the security or proper administration of the contest. Any attempt to deliberately damage any website or to undermine the legitimate operation of this promotion is a violation of the criminal and civil laws, and should such an attempt be made, the OSPCA reserves the right to seek remedies and damages to the fullest extent permitted by law, including criminal prosecution. Entries are subject to verification and will be declared invalid if they are illegible, mechanically reproduced, mutilated, forged, falsified, altered or tampered with in any way.

The OSPCA shall not bear any liability for any personal damage, personal injury or misfortune in any way attributable to this contest or the Prize. By entering, winner grants the OSPCA the right to use their name and city of residence, without further compensation, in any advertising or publicity.

Contest is subject to all federal, provincial and municipal laws. Void where prohibited. The OSPCA reserve the right to terminate this contest or to amend these contest rules at any time without notice or with notice in major national newspapers if any factor interferes with the

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proper conduct of the contest as contemplated by the Rules. Odds of winning the grand prize are dependent upon the total number of eligible entries received.

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