

## BRITISH COLUMBIA HYDRO AND POWER AUTHORITY (“BC HYDRO”)

### PUMPED ON WINTER PHOTO CONTEST 2022 OFFICIAL CONTEST RULES

- 1) **Contest Period:** The British Columbia Hydro and Power Authority (“BC Hydro”) Powered By Water Photo Contest (the “Contest”) begins on February 1, 2022 at 12:00 a.m. Pacific Time (“PT”) and ends on February 28, 2022 at 11:59pm PT (the “Contest Period”). Entry deadlines for weekly prizes are set out in Section 5 of these Official Contest Rules.
- 2) **Eligibility.** No purchase necessary. This Contest is open to residents of British Columbia who have reached the age of 19 years at the time of entry and otherwise comply with these official contest rules (the “Contest Rules”). Employees of BC Hydro, its affiliates, its advertising and promotional agencies and members of the judging panel, and family members living with employees of BC Hydro, its advertising or promotional agencies and members of the judging panel are not eligible.
- 3) **How to Enter.** Visit <https://www.bchydro.com/news/conservation/2022/pumped-on-winter-photo-contest.html> for details on submitting your entry. To enter, you must follow @bchydro on Twitter and/or Instagram, submit a photograph (your “Submitted Photo”) on your personal Instagram or Twitter account using the hashtag #PoweredByWater. Photographs submitted must be based on the following theme:

***“Pumped on Winter: What are your favourite winter activities in B.C.? Whether you like staying warm or going out in the cold, show us what you enjoy doing in the winter season. Examples include but are not limited to: skiing, snowboarding, hiking, tubing, sledding, baking, cooking, drinking coffee or tea, reading a book under a blanket, movie marathon, video games etc.*”**

All eligible entries will be available for the *Weekly Prize Winner Selection* in accordance with Rule 6 and with Rule 7.

See additional Photo Criteria below. Photographs must have been taken on or after Feb 1, 2022 to be eligible. **LIMIT ONE ENTRY PER PERSON PER WEEK:** Each contest entrant may enter a maximum of one (1) photograph per week only and may only enter that photograph once. Entries must be submitted during the Contest Period. All entries become the property of BC Hydro. All eligible entries will be posted for public viewing on <https://www.bchydro.com/news/conservation/2022/pumped-on-winter-photo-contest.html> subject to BC Hydro confirming their eligibility in accordance with these Official Contest Rules in its discretion.

No purchase necessary.

- 4) **Photo Requirements.** Submitted Photos must feature a winter activity in B.C. in line with the description of the theme in Rule 3. To protect personal privacy, entries which contain or reference third party personal information, and **photos featuring distinguishable features of a person other than the contest entrant, will not be eligible** for Contest entry and will not be used by BC Hydro. Silhouetted figures, or shots of people at angles that don't clearly show an identifiable face, will be accepted. Any photos not in line with the theme of a “Pumped on Winter” as detailed in Rule 3 or deemed inappropriate or non-complaint with these Contest rules for any reason will not be posted for public viewing and will not be eligible for the Contest. Photographs that have been digitally edited with software, cropped, enhanced, colour and sharpness adjusted will be accepted. BC Hydro will make the final determination, in its sole and exclusive discretion, as to whether any Submitted Photo is eligible.

Submitted Photos must also:

- comply with the respective social media platform's terms of service, available at [www.twitter.com](http://www.twitter.com) and [www.instagram.com](http://www.instagram.com) respectively;
- include the required hashtags set out above;
- be original and in good taste
- be in keeping with BC Hydro's public goodwill and image and may not be offensive, inappropriate or indecent, as determined by BC Hydro in its sole discretion. Photos containing any profanity or lewd references will be disqualified at the sole discretion and judgment of BC Hydro. Without limiting the generality of the foregoing, any obscene, offensive, sexual or otherwise inappropriate entry including without limitation those referencing or depicting violence, nudity or explicit activity, or which are not in the spirit of the Contest or do not meet BC Hydro's standards for any reason, as solely determined by BC Hydro, will be deemed ineligible and entries will be disqualified if they include any of the following: Crude, obscene, offensive, vulgar, sexually-inappropriate or offensive language and/or symbols; Derogatory characterizations of any ethnic, racial, sexual or religious groups; Content that endorses, condones or discusses any illegal, inappropriate or risky activity, behaviour or conduct; Personal information of individuals, including without limitation, names and addresses (physical or e-mail); Conduct or other activities in violation of these Rules; Commercial messages, comparisons or solicitations for products or services; Any identifiable third party products and/or trade-marks; URLs or links to any websites; and any other content that is or could be considered inappropriate, unsuitable or offensive, all as determined by BC Hydro and/or the Contest judging panel in their sole discretion.

For criteria upon which winning photos will be judged, please see Sections 6, 7 and 8 below.

**5) Prizes.** There are four (4) Weekly Prizes to be won.

Weekly Prizes:

The prize for Week One (entry from February 1, 2022 at 12 a.m. PT to February 7, 2022 at 11:59 p.m. PT) consists of one (1) Dyson Hot+Cool Fan Heater. Approximate retail value is \$499.99 CAD.

The prize for Week Two (entry from February 8, 2022 at 12 a.m. PT to February 14, 2022 at 11:59 p.m. PT) consists of one (1) Breville Precision Brewer Thermal. Approximate retail value is \$299.95 CAD.

The prize for Week Three (entry from February 15, 2022 at 12 a.m. PT to February 21, 2022 at 11:59 p.m. PT) consists of one (1) Hush 2-in-1 Weighted Blanket. Approximate retail value is \$399.00 CAD.

The prize for Week Four (entry from February, 2022 at 12 a.m. PT to February 28, 2022 at 11:59 p.m. PT) consists of one (1) Sonos Move smart speaker. Approximate retail value is \$499.00 CAD.

Prizes are non-transferable, non-exchangeable, non-refundable and not convertible to cash. BC Hydro reserves the right to substitute a prize of equivalent retail value if any component of any prize cannot be awarded as described. LIMIT one (1) prize may be won by any household. Winners of Weekly Prizes will not be eligible for the Grand Prize.

**6) Weekly Prize Winner Selection:** On or around the day following the closing of the weekly periods during the contest (February 7, 14, 21, 28), a panel of judges appointed by BC Hydro will select, in their sole and absolute discretion, the top entry from all eligible entries based on the following criteria: originality, relevance to theme, composition, lighting and technical quality. The top entry will be the

eligible winner of that Weekly Prize, subject to full compliance with these Contest Rules. Prior to being declared a winner, the selected entrant will be required to sign a standard Declaration, Release and Waiver of Liability form, confirming compliance with these Official Contest Rules and acceptance of prize as offered, releasing BC Hydro from any and all liability relating to the Contest and the use of the prize and consenting consent to the use of their name, Twitter or Instagram user name, and Submitted Photo, in any advertising, promotion and marketing by BC Hydro, in any medium or form of distribution (electronic or otherwise), whether inside or outside Canada, without compensation, for the purpose of the Contest. Entries will only be eligible for the Weekly Prize Winner Selection for the week in which they were received.

- 7) **Contest Odds and Contacting of Selected Entrants:** Chances of winning a Weekly Prize will depend upon the number and quality of eligible entries received by the end of each week (see Rule 5 for exact entry periods) during the Contest Period and on the decisions of the judging panel acting in its sole and exclusive discretion. No correspondence will be entered into except with the eligible winners, who will be notified, as applicable, using the hashtag #PoweredByWater via Instagram or Twitter with a direct message from a representative at BC Hydro directly to make arrangements for prize fulfilment by the date specified on the notification. If an eligible winner does not contact BC Hydro by such date, at least three (3) attempts over three (3) business days will be made to contact the eligible winners through Twitter or Instagram. If the eligible Weekly Prize winners cannot be contacted in this manner, they will be disqualified and another eligible entry will be selected in accordance with Rule 6 and this process will be repeated until weekly prize winners are declared.

Prior to being declared a winner, all eligible winners must sign and return to BC Hydro, within ten (10) days of receipt, the Declaration, Release and Waiver of Liability form referred to in Rules 6 7 and 8 which, among other things, grants to BC Hydro an irrevocable license to the use of their name and Submitted Photo for the purpose of the Contest and in any advertising, promotion and marketing by BC Hydro without compensation, waives the moral rights in such photograph, and releases BC Hydro from liability for the use of the photograph and awarding and use of the prize.

- 8) **Consent:** By entering the Contest, all entrants agree and consent and give a royalty-free, irrevocable right and license to BC Hydro to use their names, Twitter or Instagram user name and Submitted Photo, in any advertising, promotion and marketing by BC Hydro, in any medium or form of distribution (electronic or otherwise), whether inside or outside Canada, without compensation, for the purpose of the Contest. Entrants further agree that their entry, including their personal information, name and Twitter or Instagram user name, photograph and information in the meta tags of their photograph, may be stored and processed on servers located both inside and outside of Canada as per the Terms of Service or Use agreed to when establishing a personal account with Twitter and or Instagram, for the purpose of this Contest in furtherance to BC Hydro's mandate under the **Hydro and Power Authority Act** and the **Clean Energy Act**. All entrants consent to the temporary storage of their personal information outside of Canada. If you have any questions about how BC Hydro collects, uses or discloses your personal information please contact [connectwithus@bchydro.com](mailto:connectwithus@bchydro.com). Once submitted, entries cannot be modified, deleted or cancelled by a Contest entrant.

The Contest is in no way sponsored, endorsed or administered by, or associated with, Instagram or Twitter. Instagram and Twitter are completely released of all liability by each participant in the Contest. You understand that you are providing your information to BC Hydro and not to the respective social platform. Any questions or complaints regarding the Contest should be directed to BC Hydro and not to the respective social platform.

- 9) **Warranties:** By entering, you represent, warrant and confirm that:

- a. Your Contest entry is an original work by you;
- b. No other person or entity other than you has any right, title or interest in any part of your entry;

- c. Your entry, the use thereof by BC Hydro, or the exercise by BC Hydro of any of the rights granted by you under these Contest Rules does not and will not infringe or violate any rights of any third party or entity, including, without limitation patent, copyright, trademark, trade secret, defamation, privacy, publicity, false light, misappropriation, intentional or negligent infliction of emotional distress, confidentiality, or any contractual or other rights;
- d. You have all the rights, licenses, permissions and consents necessary to submit your entry and to grant all of the rights and consents that you have granted to BC Hydro hereunder including granting to BC Hydro a license to use your photograph in any manner they see fit; you have obtained written permission when photographing any subject matter on private property not owned or controlled by you, where such permission is required;

**10) Disqualification.** BC Hydro reserve the immediate right to disqualify any entrant which it deems in its sole discretion: (i) is not in compliance with these Contest Rules, (ii) tampers with the entry process, the Contest, or the website; or (iii) is acting in an uncooperative, unsportsmanlike, disruptive, abusive, or threatening manner in the sole discretion of BC Hydro.

**11) Decisions Final.** Decisions by BC Hydro and the panel of independent judges in respect of all aspects of this Contest, including but not limited to eligibility of entries, are final. In the event of a dispute regarding identity of the entrant of an online entry, the entry will be deemed submitted by the holder of the associated Twitter or Instagram account. BC Hydro and their advertising and promotional agencies, and the panel of judges will be free from any liability occurring as a result of the prize being awarded or the use of the prize.

**12) Limitation of Liability.** By entering this Contest, all entrants agree to release, discharge and hold harmless BC Hydro and their respective partners, affiliates, advertising/promotional agencies, and their employees, officers, directors, representatives and assigns from any claims, losses and damages arising out of their participation in this Contest and the acceptance, possession, use, or misuse of the any prize awarded hereunder. BC Hydro, nor any of their employees, officers, directors, agents, contractors, representatives, affiliates, subsidiaries, independent judges or advertising/promotion agencies (collectively, the "Released Parties") assume responsibility whatsoever for delayed, failed, partial or garbled computer or fax transmissions; technical failures of any kind, including, but not limited to lost, interrupted or unavailable network server, Internet Service Provider (ISP), website or other connections, availability or accessibility or miscommunications or failed computer, satellite, telephone, fax or cable transmissions, lines or technical failures or difficulties; the incorrect or inaccurate capture or failure to capture information whether caused by site users, tampering, hacking, or by any equipment or programming associated with or utilized in the Contest or other information; the failure to capture any such information; errors of any kind whether human, mechanical, electronic, network or otherwise arising out of or relating to the Contest; theft, loss, destruction or damage to entries, in whole or in part; or other factors beyond their reasonable control. Released Parties are not responsible for injury or damage to participants' or to any other person's computer related to or resulting from participating in the Contest or downloading materials to or from or use of the web site. Persons who tamper with or abuse any aspect of the Contest or website, as solely determined by BC Hydro will be disqualified. CAUTION: ANY ATTEMPT BY ANY PERSON TO DELIBERATELY DAMAGE ANY WEB SITE OR UNDERMINE THE LEGITIMATE OPERATION OF THE CONTEST IS A VIOLATION OF APPLICABLE CRIMINAL AND CIVIL LAW. SHOULD SUCH AN ATTEMPT BE MADE, BC HYDRO RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH PERSON TO THE FULLEST EXTENT OF THE LAW.

**13) Right to Modify or Terminate.** BC Hydro reserves the right to withdraw, modify or terminate or any part of this Contest by publishing a notice on [www.bchydro.com](http://www.bchydro.com) website if for any reason the Contest is not capable of running as planned, including technical failure or corruption, computer virus, tampering, unauthorized intervention, fraud or any other cause beyond the control BC Hydro which in the opinion of BC Hydro affects the administration, security, fairness, integrity or proper conduct of this Contest.

**14) Conditions.** By entering this Contest, the entrants agree to be bound by these Contest Rules. This Contest is subject to all federal, provincial, and municipal laws and regulations. The sole jurisdiction to resolve any disputes concerning this Contest is the Province of British Columbia.

**15) Privacy.** BC Hydro will use the personal information submitted with the Twitter or Instagram photo entry for the purpose of administering the Contest and for BC Hydro's marketing and promotional purposes as contemplated by these Contest Rules.

For the purposes of the above, "personal information" only includes the entrant's name, and Twitter or Instagram user name, photograph, and information in the meta tags of their photo which is collected as per the Terms of Service or Use agreed to when establishing a personal account with Twitter and or Instagram, and will be disclosed both inside and outside of Canada and temporarily stored outside of Canada. BC Hydro is running the Contest in furtherance to its conservation mandate under the **Hydro and Power Authority Act** and the **Clean Energy Act** for the purposes described in these Contest Rules. If you have any questions about how BC Hydro collects, uses or discloses your personal information please contact [connectwithus@bchydro.com](mailto:connectwithus@bchydro.com).