



DIRECTOR'S ORDER NUMBER TWO HUNDRED FORTY-FOUR (2019)

VIRGINIA LOTTERY'S "MOBILEPLAY 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 "MobilePlay Promotion" Rules to generate additional awareness of the Virginia Lottery's Mobile Application featuring MobilePlay. The Promotion period is November 1, 2019, through July 31, 2020. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of lottery games.

The rules are 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 be requested by mail by writing to: Director's Office, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on November 1, 2019, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

/s/ Amy Dilworth

October 27, 2019

Amy Dilworth, General Counsel

Date

/s/ Kevin Hall

October 28, 2019

Kevin Hall, Executive Director

Date



VIRGINIA LOTTERY'S "MOBILEPLAY PROMOTION" OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to generate additional awareness of Virginia Lottery's Mobile Application featuring MobilePlay. With this Promotion, various bonus opportunities ("offering(s)") will be offered in conjunction with Mobile Application log-in and/or deposit activity.
- B. PROMOTION PERIOD:** This Promotion will begin on November 1, 2019, and will end on July 31, 2020, unless amended or rescinded by further Director's Order.
- C. DEFINITIONS** (for purposes of this Promotion):

"Account" means a Virginia Lottery MyGameRoom account set up by a Player where his/her name, address, communication preferences, and other details are retained and through which a Player accesses the Mobile Application and plays and/or purchases Games.

"Claimant" means a verified Participant or Player who presents a Ticket that he/she presumes to be a Winning Ticket.

"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.

"Lottery" means the Virginia Lottery.

"Lottery Board" means the group of five (5) 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.

"Mobile Application" or "Application" refers to a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

"MobilePlay" refers to a feature of the Lottery's Mobile Application that, via a Retailer's Bluetooth® signal, and a Video Control Unit, enables a Player to play and purchase e-games and to purchase certain Computer-generated Games when using his/her mobile device as a proxy for the Lottery Game Terminal while on the premises of a licensed Retailer.

"Participant" or "Player" means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase and/or otherwise follows/meets all requirements in the Promotion Rules and/or on the Lottery's Promotion site in the hope of winning a Prize.

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

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"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 Period" the time frame beginning with the first date of promotional activity and ending on the last date of promotional activity.

"Promotion Rules" or "Rules" means these rules.

"Recipient" means a verified Person who is entitled, to receive a bonus deposit under the rules of a Promotion.

"System Day" means the time at which a particular day begins in the Lottery's gaming system (4:30 AM Eastern Time) to the time the same day ends in the Lottery's gaming system (1:00 AM Eastern Time the following calendar day).

D. ELIGIBILITY:

1. This Promotion is open to Players eighteen (18) years of age or older who have successfully registered on valottery.com and passed age verification. 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 participate in this Promotion.

E. PROMOTION ENTRY: To participate, a Player must have a MyGameRoom Account, meet all deposit requirements, as applicable, and follow all required steps specified on valottery.com and/or on the Mobile Application, and/or in a promotional communication for each promotional offering.

The Lottery reserves the right to open and close offerings over the course of the Promotion period. Offering details will be provided on valottery.com and/or on the Mobile Application, and/or in a promotional communication.

F. PROMOTION REQUIREMENTS:

1. Only an offering issued in conjunction with a Lottery MyGameRoom Account will be valid for this Promotion.
2. A Player may only register one (1) Account in his/her name.
3. The Lottery will not be responsible for a MyGameRoom Account opened using information that is not complete, correct, valid and/or not belonging to the Person completing the Account registration.

4. An Account owner must supply all required information and/or make the required deposit(s), and/or meet any applicable/other requirements for each offering as specified on valottery.com, and/or the Mobile Application, and/or in a promotional communication in order to be considered eligible for that offering.
5. A Player is eligible to receive only one (1) bonus/deposit match per offering, but may participate in multiple offerings over the course of this Promotion.

G. PRIZE DESCRIPTION:

Prizes for all offerings in this Promotion are automatic bonus deposits to a Player's MobilePlay wallet in those amounts specified for each particular offering.

H. PROMOTION DETAILS:

1. The bonus funds will be deposited to the MobilePlay wallet immediately after meeting all requirements of the offering.
2. The bonus funds can only be used for purchases and cannot be withdrawn.
3. Bonuses awarded as part of this Promotion are not transferable or assignable.
4. Bonus funds will be rounded up to the nearest fifty-cent (\$0.50) increment when deposited.

I. CANCELLATION POLICY:

Canceled Bonus Deposit award(s): The Director may, in the Director's sole discretion, cancel the awarding of bonus deposits on days when conditions make fulfillment of bonus deposits impractical or inappropriate and may elect to award bonus deposits 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 bonus deposits will 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.

J. 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.

- K. 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.
- L. 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 bonus deposits awarded in connection therewith.
- M. 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 bonus deposit.