

Smart Commute Toronto- Smart Commute Month Commuter Contest- Official Contest Rules

NO PURCHASE OR PARTICIPATION FEE NECESSARY.

Agreement to Rules

By participating in the Smart Commute Toronto Smart Commute Month Commuter Contest ("Contest"), you (the "Entrant") agree to be fully and unconditionally bound by these Official Contest Rules (the "Rules"), and you represent and warrant that you meet the eligibility requirements set forth herein. In addition, you agree to accept the decision of the City of Toronto (the "City"), as final and binding as it relates to the content. The Contest is subject to all federal, provincial, and local laws.

Contest Description

The City's Environment and Energy Division is conducting a Smart Commute Toronto Smart Commute Month Commuter Contest, herein known as "Contest".

Contest Period

The Contest begins on Tuesday, September 6, 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**").

1. Eligibility

Must be 18 years or older at the date of entry to participate.

Must be an employee at a Smart Commute Toronto workplace

Cannot have won any award or prize in any other Smart Commute Toronto contest in the 2022 calendar year, except the following:

Cannot be an employee, officer, director, or elected official of the City or its Agencies, Boards and Commissions.

Cannot be an employee, officer, or director at, UrbanTrans, SustainMobility or PointA.

Entries are limited to individuals only; commercial enterprises and business entities are not eligible to enter.

2. How to Enter

To submit an Entry the Entrant must have an account registered on the Smart Commute Tool and linked to their workplace.

Entrant can earn one entry into the Contest by:

- i) Signing up on the Smart Commute Tool with a valid work email (limited to once per person) and/or
- ii) Logging a carpool, telework, walking, cycling, and/or transit trip on the Smart Commute Tool (limited to one log per day)

Entry into the Contest is done automatically by the Smart Commute Tool.

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

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

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

Entry Limits

There is a limit of one (1) Entry per person per day during the Contest Period for all entrants signing up for the tool. There is a limit of one (1) Entry per person per day during the Contest period for all entrants logging trips on the tool. All submission must be made by September 30, 2022 at 11:59 PM E.T. 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 the Entrant 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).

3. Winner Selection

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 twenty (20) prizes draws. Winners will be selected after the Contest closes. Odds of winning the random draw depends on the number of eligible entries received.

The City will notify the winners exclusively by email. 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, showing proper identification, completing a skills-based test, and completing and executing a declaration and release as required may result in the forfeiture of the prize.

Winner's must claim their prize by appearing in person at the City's, Environment and Energy Division.

Union Station
East Wing, 2nd floor
c/o Metro Hall mailroom
55 John Street
Toronto, Ontario M5V 3C6

If no response is received within the required time, the winner will be disqualified and another Entrant will be randomly selected.

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 the 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.

4. Prizes

Winners will receive one of five gift cards, each valued at \$50.00 to be rewarded as a prize. The gift cards are from The Bay, Canadian Tire, M.E.C., or PRESTO.

There are no early bird prizes. Limit of one (1) prize awarded per Entrant. All prizes must be accepted as awarded.

The specifics of the prize shall be solely determined by the City. The City 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's sole and absolute 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's to use winner's name, likeness, and photo entry for purposes of advertising without further compensation, unless prohibited by law.

5. 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, in its sole and absolute 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 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 Entrant 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.

6. Contest Organizer

The organizer of the Contest is the City of Toronto:

Outreach & Engagement,
Environment & Energy Division,
City of Toronto
Union Station
East Wing, 2nd floor
c/o Metro Hall mailroom
55 John Street
Toronto, Ontario M5V 3C6