

**SOUTH CAROLINA EDUCATION LOTTERY®**  
**OFFICIAL RULES FOR**  
**THE HARLEY-DAVIDSON® 2009**  
**Beach, Boogie, & BBQ PROMOTION**

**A. GENERAL PROVISIONS**

1. The South Carolina Education Lottery (SCEL) will conduct the Harley-Davidson 2009 Beach, Boogie & BBQ Promotion ("Promotion") under the rules provided in this document.

The Official Rules for the Promotion are comprised of: (1) Act 59 of 2001, as amended; (2) the regulations of the South Carolina Education Lottery Commission; (3) any other matters adopted by SCEL; (4) the material presented in this document; and (5) any practices or procedures (either written or unwritten) utilized by SCEL. The items cited herein are incorporated by reference and are binding as if printed herein. Each item cited above shall have equal weight unless there is an inconsistency between or among the documents in which case the document listed first shall be controlling.

Amendments to these rules, including change of location or cancellation of the Promotion, may be made at any time without notice, but must be made in writing and signed by the Executive Director of SCEL. These Official Rules for this Promotion are posted on the SCEL website at [www.sceducationlottery.com](http://www.sceducationlottery.com) or they may be obtained by calling 1-866-736-9819 (toll-free) 8:30 a.m. – 5:00 p.m., Monday through Friday.

2. **BY SUBMITTING AN ENTRY, AN ENTRANT IS BOUND BY THE OFFICIAL RULES OF THIS PROMOTION.**
3. **SCEL WILL USE, WITHOUT LIMITATION, AN ENTRANT'S HOMETOWN, NAME, LIKENESS, AND/OR VOICE IN ANY PROMOTIONS, RESEARCH, MARKETING, PUBLICATIONS, OR OTHER ADVERTISING MEDIA, INCLUDING, BUT NOT LIMITED TO, THE SCEL WEBSITE, WITHOUT COMPENSATION OR ADDITIONAL RELEASE.**
4. The odds of being selected (or not being selected) as the winner of a Harley-Davidson® Fat Boy® motorcycle in this Promotion depend upon the number of entries received.

**B. PRIZE**

1. One (1) 2009 Harley-Davidson® Fat Boy® motorcycle will be awarded. The selection of the winner is scheduled to take place on Friday, September 4, 2009, at the Beach, Boogie, and BBQ Festival held at Valor Park (the old Air Force Base) in Myrtle Beach, South Carolina. The value of the prize includes applicable federal (25%) and state (7%) income tax withholdings. A winner's ultimate tax liability will depend exclusively upon the winner's other personal income and deductions.
2. **SCEL will not substitute cash for the Fat Boy® motorcycle. Availability of motorcycle model year may vary depending on the time of prize fulfillment. Certain terms and conditions may apply.**

## C. HOW TO ENTER

1. To be eligible to enter the Promotion, an entrant **must be at least 18 years of age** and submit a "Qualified Entry."
2. A "Qualified Entry" consists of a South Carolina Education Lottery Registration Form (promotion registration form), which a person will receive after purchasing ten (\$10) dollars' worth of any South Carolina Education Lottery product(s), including any instant ticket and any terminal-generated online ticket, on Friday, September 4, 2009, at the Beach, Boogie and BBQ Festival in Myrtle Beach, South Carolina. **NO OTHER LOTTERY TICKETS QUALIFY FOR THIS PROMOTION.**
3. **Beach, Boogie & BBQ Entry** - To be eligible to enter the Promotion an entrant **must be at least 18 years of age** and must submit a promotion registration form according to these rules:
  - (a) **Entrants must legibly complete the promotion registration form submitted with his or her name, address (including city and state) and signature.** The entrant should include his or her zip code and best contact telephone number(s). Members of the same household may submit qualified entries.
  - (b) A promotion registration form which does not have the entrant's signature, name, address (including city and state) or if it is illegible, as determined by SCEL draw personnel, will be disqualified.
  - (c) Promotion registration must be received by SCEL Security personnel between the hours of 5:00 pm through 9:00 pm on Friday, September 4, 2009, at the Beach, Boogie, and BBQ event in Myrtle Beach, South Carolina.
  - (d) SCEL assumes no responsibility for, and will not attempt to locate, verify receipt of, or validate a submitted promotion registration form. **The risk of loss of promotion registration forms remains with the entrant.**

## D. PROMOTION DRAW SCHEDULE

<u>Entry Deadline</u>	<u>Scheduled Draw Date and Time</u>
9:00 pm, Friday, September 4, 2009	Approximately 9:05 pm, Friday, September 4, 2009

Promotion entry forms received **will be eligible only for the scheduled draw**. All draw entries will be secured and maintained by SCEL Security personnel for use if an alternate is required. Entries received after the draw will be discarded.

The entry deadline and draw date listed above may be modified and the draw time may be modified as deemed appropriate by the Director of Security, or his designee, without notice or amendment to these rules. The selection of the winner will be conducted under the supervision of an independent auditor who will audit the drawing and certify that draw procedures were followed.

## E. DRAWS TO SELECT WINNER AND ALTERNATES

1. For the draw, SCEL will draw one (1) entry. That entry will, if eligible and qualified, be the winner of the Harley-Davidson® Fat Boy® motorcycle. If the winner is subsequently disqualified, alternate entries will be drawn by SCEL Security personnel from the remaining entries under the supervision of an independent auditor.
2. If a person is selected more than once in the draw, only the first entry for that person will be considered a selected entry eligible to win the prize, assuming that both entries are complete. If the first entry drawn is not complete, the individual's next or subsequent entry drawn will be deemed a selected entry, and will remain in the order selected, assuming the subsequent entry is complete. Entries that are unsigned, incomplete, illegible, or in a format other than the promotion registration form will be disqualified.
3. SCEL Security is responsible for securing the entries and, at the appropriate time, transporting the entries to the area where the draw will be conducted.
4. Should any stage of the selection process detailed above become unmanageable, incorrect or if a foul is declared by the Director of Security or his designee, in his/her sole discretion, the Director of Security, or his or her designee, may devise a random method of selection by lot or other method deemed random, and certified by the independent auditor and the contest may be resumed. Alternatively, in his or her sole discretion, the selection process may be stopped, delayed, restarted, or postponed by the Director of Security or his designee, as deemed appropriate given the circumstances.
5. After the drawing, Security will maintain the entries until it is determined that no alternates are needed.

## F. QUALIFICATION AND VALIDATION OF THE WINNER

1. (a) If the person selected as the purported winner is not present at the time the prize is awarded, SCEL will mail a claim form by certified mail or via commercial overnight delivery service to the winner. If the winner is present, SCEL will provide the necessary claim form and other documentation and will mail a claim form by certified mail or via commercial overnight delivery service to the winner. The winner must complete a claim form and provide all information necessary to process the claim. The designated SCEL Claims Office must receive the completed claim form with all information requested by SCEL by close of business on the date and time requested by SCEL. If the completed claim form and other information requested are not received by the date and time requested, the winner will be disqualified and replaced with an alternate in the order drawn. SCEL assumes no responsibility for incorrect addresses, misdelivery, late delivery, or failure of delivery for any reason for any item(s) sent pursuant to this paragraph by either SCEL or the winner, regardless of fault. **All risk of loss remains with and is assumed by the winner.**
- (b) The name and signature submitted on the claim form must match the name and signature on the promotion registration form(s) in the Qualified Entry. If different individuals are submitted on the promotion registration form and the claim form, both individuals are subject to disqualification.

- (c) The Promotion registration form and information submitted on the claim form are subject to additional validation and verification of eligibility by SCEL. The winner is subject to disqualification if eligibility requirements are not met.
2. If a promotion registration form is deemed to be ineligible or disqualified under any of these rules, the alternate(s) in the order drawn must qualify to win the Fat Boy® motorcycle.
  3. SCEL employees or family members residing in the household of those employees, Scientific Games International (SGI) employees or family members residing in the household of those employees, INTRALOT employees or family members residing in the household of those employees, or any other person ineligible to purchase SCEL tickets pursuant to Title 59, Chapter 150, of the South Carolina Code of Laws, are ineligible to enter this Promotion. Auditors who routinely perform work for SCEL, advertising firm employees, and media placement firm employees who performed work for this Promotion are also ineligible to enter.
  4. Validation of entries, drawing, qualification of the winner, and awarding of the prize are subject to the policies, rules, and regulations of SCEL and the laws of the State of South Carolina, including, but not limited to, setoff of certain debts in accordance with S.C. Code Ann. § 59-150-330. A person selected as the winner must satisfy any outstanding debt prior receiving the prize. The winner may dispute any amounts withheld pursuant to § 59-150-330 of the South Carolina Code as may be authorized by law. If the debt set-off is not resolved within a reasonable time, as determined by SCEL, the individual will be deemed disqualified and the next alternate will have an opportunity to qualify to receive the prize.
  5. **THE WINNER ASSUMES THE RISK OF LOSS AND IS SUBJECT TO DISQUALIFICATION IF:**
    - (a) **SCEL IS UNABLE TO CONTACT THE PRIZE WINNER; OR**
    - (b) **ANY OTHER REQUIREMENT IN THESE RULES IS NOT MET.**

## **G. MISCELLANEOUS**

1. SCEL reserves the right to use the names, addresses, and telephone numbers of all entrants for research and marketing purposes.
2. A decision relating to cancellation of the Promotion, amendment to the rules, legibility of an entry, effort to notify the winner or an alternate, destruction of entries, a decision made pursuant to these rules, or a determination of whether there is a duplicate entry are deemed not to be a cause for grievance relating to this Promotion. A decision to designate an alternate as the winner, for whatever reason, with or without notice, shall not constitute grounds for a grievance. Misdelivery of a promotion registration form is not subject to a grievance proceeding, and SCEL assumes no liability whatsoever for that occurrence regardless of fault.
3. The winner, his or her respective heirs, legal representatives, and assigns, agrees to indemnify, defend, release and discharge the South Carolina Education Lottery, its employees, officers, and directors from and against any loss, claim, damage, suit, or injury arising out of or relating to this Promotion or any action taken pursuant to the Official Rules. By entering, the winner indemnifies, releases, discharges and agrees to hold harmless SCEL, its employees, officers and directors from unanticipated cancellation, suspension, or postponement of the Promotion due to natural disaster, national emergency, or other unforeseen act of God or man.

4. By accepting the prize in the Promotion, the winner and his or her heirs, legal representatives, and assigns agree to indemnify, defend, release, and discharge SCEL, its employees, officers, and directors from and against any loss, claim, damage, suit, or injury arising out of or relating to possession and any and all use of the prize.
5. SCEL's total liability, for any activity taken pursuant to these rules, shall be limited to the purchase price required to obtain a promotion registration form (ten [\$10.00] dollars). Under any circumstances, regardless of the number of entries submitted or alleged to have been submitted, SCEL's total liability shall not be more than \$50.00 to a person who is found to be aggrieved by any aspect of this Promotion or any application or any interpretations of the Official Rules.
6. Any person claiming to be aggrieved must file a written notice addressed to the SCEL Executive Director, P.O. Box 11949, Columbia, SC 29211-1949, specifying the grounds for the grievance. Any grievance filed more than fifteen (15) days after the conclusion of this Promotion will be deemed untimely. The filing of a grievance does not compel the Executive Director, or his or her designee, to delay any aspect of this Promotion or payment of any prize.
7. In the event of any circumstances or interpretations of any matter, whether contemplated or not contemplated, in these rules, the interpretation and decision of SCEL's Executive Director, or his designee, will be final as provided by law.

  
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Paula Harper Betha, Executive Director

September 4, 2009  
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Date