

ACTIVE PAYMENT PROMOTION RULES

Organizer:

Kcell JSC (Company or Organizer)

Active Payment promotion – a promotional offer (Promotion) run by Organizer in Almaty city, Kazakhstan.

Promotion is run from 10 November 2016 through to 31 January 2017.

Promotion participants are Kcell customers whose mobile numbers are registered to physical persons (except private entrepreneurs) and who have attained the age of 18 years, citizens of the Republic of Kazakhstan or persons with KZ residence permit. The following parties/persons are not allowed to participate in the Promotion: Company employees and their close relatives (spouse, parents, adoptive parents, children, grand/step children, siblings, secondary siblings and grandparents); dealers and distributors of Organizer and their employees; employees of SMSBUS LLP, Almaty SpetsTekhParking LLP and their affiliates; advertising and other agencies associated with the Promotion, or participating therein, as well as close relatives of all of these parties.

1. Promotion conditions

The Promotion is run among the Activ customers who paid for the below listed services using their mobile account, starting from 01.11.2016 till 31.01.2017:

- Payment of public transport fares in Almaty;
- Payment of parking fees in Almaty.

For the purpose of the Promotion, payments made in any given month during the promotional period, starting from 01.11.2016 till 31.01.2017, will be counted.

Promotion results for each service will be announced within 10 business days after the end of each month. The prize winners are picked randomly through random.org website.

1. Winner selection

2.1 To determine the winners, the Organizer generates a list of participants who meet the participation conditions for the Promotion.

2.2 Winners are selected randomly through random.org website. The list of the participants' payments is uploaded to the website. The Galaxy S7 edge LTE Black 32 GB (the Prize) draw results are entered in the draw records to be signed by the responsible employees of the Organizer.

2.3 After the main winners have been picked, the Organizer picks 3 reserve winners.

2.4 The winner will be selected within 10 business days after the end of each month during the Promotional period. The prize winner can pick their prize within 2 days from receipt of notice at the nearest Kcell Center. Should the winner fail to appear at the required time and/or meet the requirements stated in these Rules, the prize will go to the first winner on the reserve winner list.

Should the reserve winner fail to appear at the required time and/or meet the requirements stated in these Rules, the prize will go to the second participant on the reserve winners list. Should the

second reserve winner fail to appear at the required time and/or meet the requirements stated in these Rules, the prize will go to the third participant on the reserve winners list.

- 2.5** Should the winner fail to submit documents listed in *Distribution of Prizes* section of these Rules within the required period of time (par 3.1 of these Rules), he/she will be removed from the list of Promotion participants and lose their right to receive a prize.
- 2.6** The Promotion results, including names and patronymic initials of the winners will be published on the Organizer's website at activ.kz in *News* section, as well as in the commentaries to the Promotion-related posts on Facebook, VK.

3 DISTRIBUTION OF PRIZES

- 3.1** The representatives of Organizer will contact (call or SMS) the winner using mobile number which was used to make a payment, within 1 day after announcement of the final Results have been announced in order to get his/her identity details and inform about the time and place where he/she can pick up their prize. The winner is required to be physically present at the event, failing which (for any reasons whatsoever) the prize will go to the reserve winner.
- 3.2** Should the representatives of Organizer, for some reason, fail to contact the winner by the time specified in par 3.1 hereof, the winner will be the first participant on the reserve winners list.
- 3.3** The prize is handed over to the winner provided he/she is a registered owner of the mobile number registered for this Promotion and meets the requirements stated in par 4.1 of these Rules.
- 3.4** Should the Winner for some reasons fail to claim or expressly refuse to pick up the prize as well as in the case described in par 2.4 hereof, the Organizer reserves the right to dispose of such unclaimed prize as it may deem appropriate, including selection of another winner in accordance with par 2 of these Rules.
- 3.5** Organizer has the right to refuse to give the prize away to the winner, if the latter fails to fulfill any of the requirements set forth in these Rules, Public Agreement or RK laws.
- 3.6** Once all the prizes have been distributed among the Participants announced as prize-winners in accordance with these Rules, no claims of prize from other participants will be accepted.
- 3.7** Prize winner may not transfer the prize to third persons until they receive the prize.
- 3.8** Organizer has the right to refuse to give the prize away to the winner if the latter fails to produce documents mentioned in par 4 hereof.

4. REQUIRED DOCUMENTS

- 4.1.** To get the prize, the winner must:
- 4.1.1.** show a SMS-confirmation of winning a prize;
- 4.1.2.** produce their ID and IIN.

5. NO CASH EQUIVALENTS OF PRIZES PERMITTED

- 5.1.** No cash equivalents of prizes awarded are permitted.

6. ADDITIONAL CONDITIONS

- 6.1.** Promotion Rules are published on activ.kz website.

6.2. Organizer reserves the right to amend these Rules by posting the relevant information on activ.kz website.

6.3. Organizer is not responsible for:

6.3.1. a failure to receive or untimely receipt of information/documents required to get a prize through the fault of the participants or other reasons beyond the Organizer's control;

6.3.2. the participant's failure to fulfill the requirements stated in these Rules;

6.3.3. the participant's failure to pick up his/her prize for any reason.

6.4. By accepting the prize, the prize winner agrees to have their names as well as video and photographic materials created with their participation made available to the public in any manner at the sole discretion of the Organizer; or used by the Organizer in its audio, photo and video materials without any compensation or further notice. The prize winner also provides their consent to participate in promotional interviews, including radio and TV interviews, and other media, and gives consent to Organizer and / or third parties (engaged by Organizer) to produce a photo and video shoot with his/her participation. The prize winner also agrees that their personal data may be used (collected and processed) by Organizer for the purpose of this Promotion.

7. TAXES AND OTHER EXPENSES

7.1. Organizer is responsible to timely report and pays the income tax applicable to the prize winners under the RK laws.

7.2. Except as provided herein, all other payments as may be due in connection with the obtaining of prizes hereunder will be made by their winners.

7.3. Organizer is not liable for any expenses or costs incurred by customer / participants to contact Operator's Call Centre on matters relating to receiving prizes and/or delivery expenses or obtaining any other information about the Promotion.

8. MISCELLANEOUS

8.1. Organizer reserves a right to amend these Rules if it does not contradict the legislation of the Republic of Kazakhstan and to communicate the updated information through its website.

8.2. Organizer will not be liable in case of any disputes as may arise in respect of rights of ownership, possession or use of the mobile phones. A person who shows the mobile phone to Organizer and/or at its regional division shall be deemed a real owner of such phone, provided that such person is a registered subscriber/owner of the phone's mobile number or has produced a sufficient proof of his/her rights (par 4).

8.3. Organizer is not under an obligation to maintain written correspondence or provide explanations in respect of the requirements to the participant's eligibility for a prize pursuant to these Rules

8.4. Organizer shall not be liable in case of defect in workmanship as well as technical and technological failures as may occur in Organizer's cellular communication networks or equipment.

8.5. This Promotion is run by Organizer in order to promote its mobile services.

- 8.6. All disputes arising in connection with this Promotion must be settled by negotiations. Failing which, such disputes will be referred to Kazakhstan courts and settled through the procedure prescribed by RK laws.
- 8.7. In case of claims brought against the Organizer in connection with the participant's violation of third party rights during this Promotion, the participant will be responsible to settle such claims independently.
- 8.8. Organizer will publish these Rules on www.activ.kz website.
- 8.9. Organizer reserves a right to publish additional/updated information on the Promotion on its web-сайт at <http://www.activ.kz> and/or national/regional media.
- 8.10. Organizer will not be responsible if prizes distributed under this Promotion fail to meet the expectations of the participants.

For more detail, please contact the Operator's Call Centre at 3030

**BY PARTICIPATING IN THIS SPECIAL OFFER PARTICIPANTS AGREE TO BE
BOUND BY THESE RULES**