

## Rules of promotional offer

### Prize Draw From Mobi Music

#### 1. General

1.1. These Rules (the "Rules") set the terms and conditions of the 'Prize Draw From Mobi Music' promotion (Promotion), including participation conditions, prizes and distribution thereof, etc.

1.2. **Aim of Promotion:** This promotion is run by Kcell JSC (Organizer) together with OOO Enaza Dev (Company) in order to promote the mobi music service as well as increase its subscriber base.

#### 1.3. Promotion terms and conditions:

1.3.1. **Period of Promotion:** from 00:00 (Nur-Sultan time) August 15, 2019 through to 23:59 (Nur-Sultan time) October 31, 2019.

1.3.2. **Territory** – Republic of Kazakhstan (mobile network of Organizer).

1.3.3. **Promotion participants** – activ and Kcell customers who are the citizens of Kazakhstan aged 18+ years or foreign citizens with a residence permit in Kazakhstan.

1.4. **The following persons are not allowed to participate on the Promotion:**

- the employees of the Organizer and their close relatives;
- the employees of the Company and their close relatives.

#### 2. Promotion conditions

2.1. The participants of the Promotion are the activ/Kcell customers who satisfy all of the following requirements:

2.1.1. Customer has subscribed to the **mobi music** service, including during the Promotion.

2.1.2. Customer must have listened to at least one (1) track on **mobi music** app during promotional period.

2.1.3. To be entered into the main prize drawing (Apple iPad), customer must have listened to at least ONE track on **mobi music** app during the two-week intervals between the drawings.

2.1.4. The winner of the Interim stage MAY NOT participate in the drawings during other Interim Stages (speaker, headphones, annual subscription).

2.1.5. The winner of the Interim drawing may participate in the main prize drawing (Apple iPad).

2.1.6. Customer is eligible to participate in the Promotion under par 1.4 of these Rules.

2.2. The winner will be selected from among the participants in the following order:

- Winners of Interim drawing 1 will be selected on 2 September 2019.
- Winners of Interim drawing 2 will be selected on 16 September 2019.
- Winners of Interim drawing 3 will be selected on 30 September 2019.
- Winners of Interim drawing 4 will be selected on 14 October 2019.
- Winners of Interim drawing 5 and Winner of the main prize will be selected on 31 October 2019.

2.3. By fulfilling the requirements stated in these Rules, the participants confirm that they have read and agree to be bound by the Rules and the terms and conditions of the Promotion.

2.4. The full terms and conditions of the mobi music service are available at [www.mobimusic.kz](http://www.mobimusic.kz).

2.5. The cost of the **mobi music** service is 35 tenge a day. There is a free 30-day' trial period for first time subscription.

#### 3. Cancellation of participation in Promotion

The participant may opt out of the Promotion by skipping any of the steps described in section 2 above.

#### 4. Prizes

4.1. The prizes are:

- Apple iPad 2018 Wi-Fi 32 GB 9.7 Grey - 1.
- Headphones JBL T450 Black (JBLT450BLK) - 5.
- Xiaomi Mi Bluetooth Speaker - 5.
- Annual subscription to mobi music - 15.

4.2. The prizes are provided by the Company and remain the property of the Company until given away to the winner.

4.3. There is no delivery of the prize at the Winner's home address. There is no refund for the transportation or any other costs associated with picking up the prize. The Winner can pick up the prize at one of the Organizer's offices in the Republic of Kazakhstan (to be determined by the Organizer).

#### 5. Winner selection

5.1. The winners of Interim drawings will be selected from among the participants who comply with par. 2.1. of the Rules randomly using the random.org app.

5.2. The prizes of each Interim drawing will be distributed among the winners as follows:

- the first 3 winners in the respective Interim drawing selected randomly via random.org will get annual subscriptions to the mobi music service;
- the 4<sup>th</sup> winner of the respective Interim drawing selected randomly via random.org will get JBL T450 Black headphones;
- the 5<sup>th</sup> winner of the respective Interim drawing selected randomly via random.org will get Xiaomi Mi Bluetooth Speaker Basic 2.

5.3. The winner of the main prize will be picked randomly via random.org from among the eligible participants in accordance with par. 2.1 hereof.

5.4. The Organizer's representative will contact the winner on the phone number he/she has provided to sign up to the Promotion. The results will be available:

- on or before 18:00 (Nur-Sultan time) on September 3, 2019;
- on or before 18:00 (Nur-Sultan time) on September 17, 2019;
- on or before 18:00 (Nur-Sultan time) on October 1, 2019;
- on or before 18:00 (Nur-Sultan time) on October 15, 2019;
- on or before 18:00 (Nur-Sultan time) on November 1, 2019;

on **activ** and **Kcell** pages on Instagram and Facebook.

5.5. The prize will be considered unclaimed by the Winner in the following cases:

- Organizer failed to reach the Winner to inform about his/her winning the prize. Organizer will make two consecutive calls on the dates stated in cl. 2.2, after the winner has been determined;
- Organizer failed to obtain the winner's consent as well as information required for receiving a prize, as provided in par 7.3 of the Rules;
- Winner failed to show up to pick up his/her prize from one of the Organizer's offices (to be determined by the Organizer) during 7 days after the drawing results became available.

Organizer has the right to retain the prize if it is not claimed by the Winner.

5.4. In cases specified in par 5.3. above, Organizer has the right to use it as he may find appropriate, including to select a new winner in accordance with the Rules.

5.5. 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 herein, Public Mobile Services Agreement or legislation of the Republic of Kazakhstan.

## 6. Taxes

The Winner is responsible to pay any and all fees and charges as may be due in connection with the receiving of the prize.

## 7. Final provisions

7.1. The full information on the Promotion is available on [mobimusic.kz](http://mobimusic.kz), [activ.kz](http://activ.kz), [kcell.kz](http://kcell.kz) websites.

7.2. The Organizer is not responsible for the Winner's failure to pick up the prize in cases specified in these Rules;

7.3. In order for the Organizer to be able to post the information about the Winner and the prize on his websites, the Winner shall, on a free of charge basis, give the Organizer a written consent to the collection and processing of personal data and other information about the winner; to the creation, publication, reproduction and distribution of the Winner's image (including photographs), visual works (including video) and other documents, name, records (including interviews), works containing the images of the Winner. The consent of the Winner will be given in the form and on the conditions (including the date and purpose of the consent, the place and method of publication and distribution) approved by the Organizer.

4. The prize may not be redeemed for cash.

## 8. Miscellaneous

1. Provided that it does not contradict the laws of the Republic of Kazakhstan, the Organizer has the right to amend the Rules unilaterally for any reason, subject to giving a same-day notice to that effect through [mobimusic.kz](http://mobimusic.kz), [activ.kz](http://activ.kz) or [kcell.kz](http://kcell.kz) websites.
2. Organizer will be neither involved in nor held liable in case of any disputes as may arise in respect of rights of ownership, possession or use of the mobile phones/mobile numbers. A person who shows the mobile phone that uses a mobile number he used to sign up for the promotion to the Organizer 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.
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.
4. Organizer is not liable in case of defect in workmanship of the prize as well as technical and technological failures as may occur in Organizer's/Company's cellular communication networks or equipment.
5. Organizer is not responsible for:
  - 5.1. a failure to receive or untimely receipt of information/documents/consents required to receive a prize;

- 5.2. the participant's failure to comply with the requirements stated in these Rules;
- 5.3. the participant's failure/inability to pick up his/her prize for any reason;
- 5.4. defects in the prize. All claims related to defects in the prize are to be presented to the manufacturer of the prize;
- 5.5. in case the prize fails to meet the winner's expectations.
- 8.6. The Promotion is arranged and run by Organizer in order to increase the **mobi music** subscriber base as well as to promote its add-on mobile services.
- 8.7. All disputes arising in connection with the Promotion must be settled by negotiations. Failing which, such disputes will be referred to Kazakhstan courts and settled through the procedure prescribed by the RK laws.
- 8.8. In case of claims brought against the Organizer in connection with the participant's violation of third party rights during the Promotion, the participant will be responsible to settle such claims independently.
9. These Rules are published by the Organizer at [mobimusic.kz](http://mobimusic.kz), [activ.kz](http://activ.kz) and [kcell.kz](http://kcell.kz).

For more information, contact the Organizer's call center on 3030 (activ) or 9090 (Kcell).

**2. By participating in this Promotion you agree to be bound by these Rules.**