

## **RULE 5 - LOTTERY INSTANT SCRATCH GAMES**

### **BASIS AND PURPOSE OF RULE 5**

The purpose for Rule 5 is to provide details and requirements for the general administration of all Instant Scratch Games. The statutory basis for Rule 5 is found in C.R.S. 44-40-109(1) and (3), 44-40-113 and 44-40-114.

#### **5.1 General Provisions**

Instant Scratch Games shall be conducted and sold pursuant to the Lottery Rules and Regulations, Instant Scratch Game Guidelines, terms and conditions published to Players and any further instructions and directives issued by the Director and/or the Commission.

#### **5.2 Instant Scratch Game Guidelines**

- A. The Commission will adopt Instant Scratch Game Guidelines prior to the Division launching an Instant Scratch Game.
- B. The Instant Scratch Game Guidelines shall be posted on the Division's website and are binding on Players and Claimants for Instant Scratch Games.
- C. The Instant Scratch Game Guidelines shall include, at a minimum, instructions governing the following:
  - 1. The method for determining Instant Scratch Game winners;
  - 2. The establishment of claim periods;
  - 3. The price to play the Instant Scratch Game;
  - 4. The numbers and size of Prizes; and,
  - 5. The method for selecting and Validating Prizes.
- D. In the event of a conflict between the provisions in this Rule 5, the terms and conditions or marketing published to Players, the instructions and directives issued by the Director and/or the Commission and/or the Instant Scratch Game Guidelines, the Scratch Game Guidelines shall control.

#### **5.3 Damaged or Altered Scratch Tickets**

If a Scratch Ticket is mutilated, unreadable, altered, reconstituted, torn, miscut or tampered with in any way, credit will not be issued to the Scratch Ticket Holder, unless the Director or designee is satisfied that the Scratch Ticket is genuine. Scratch Tickets submitted to the Lottery for credit becomes the property of the Lottery and the Scratch Ticket becomes invalid and ineligible for a Prize.

**5.4 Validation Requirements for Scratch Tickets**

- A. To be a valid and winning Scratch Ticket, all of the following conditions must be met:
1. The Scratch Ticket must have a complete Barcode that can be scanned and read by the Barcode Reader;
  2. The Scratch Ticket must have been issued by an authorized Retailer or the Lottery and Purchased in an authorized manner;
  3. The Scratch Ticket must not have been stolen, acquired illegally, or appear on any list of omitted Scratch Tickets at the Lottery;
  4. The Scratch Ticket must meet all Validation requirements in the Instant Scratch Game Guidelines;
  5. The Validation Number on the Scratch Ticket must appear in the Validation file;
  6. The Scratch Ticket must have a Validation Number that indicates a Prize has not previously been paid.
  7. No portion of the Scratch Ticket may be blank and the Ticket may not be mis-registered, defective, or printed/produced in error; and
  8. The Scratch Ticket must pass all other confidential security checks of the Lottery.
- B. Other Instant Scratch Games shall be Validated through a means acceptable to the Director.
- C. In the event a defective Scratch Ticket is Purchased, the only responsibility or liability of the Lottery or the Retailer shall be the replacement of the defective Ticket with another Ticket of an equivalent Purchase price from any current Instant Scratch Game.

**5.5 Termination Date and Claims Period**

- A. Unless otherwise stated in the Game Guidelines, the Director will announce an end-of-game date for each Scratch Ticket, after which date no further Tickets for that game shall be issued or activated.
1. All Scratch Tickets must be claimed within one hundred and eighty (180) days after the announced end-of-game date. The claim period may be extended at the Director's discretion in the event of Force Majeure.

2. Any Person who fails to claim a Prize during the one hundred and eighty (180) day claim period shall forfeit all rights to the Prize and the amount of the Prize shall remain in the Prize Fund.
  3. Prizes claimed by mail must be documented as received by the Lottery by the one hundred and eightieth (180th) day after the announced end-of-game date.
- B. For all other Instant Scratch Games, the Instant Scratch Game Guidelines shall determine the claims period and how the game shall be terminated.

#### **5.6 Determination of Scratch Ticket Prize Winners**

- A. Prize Winners for Instant Scratch Tickets shall be determined as set forth in the specific Instant Scratch Game Guidelines and, if applicable, Instant Scratch Game Drawing Guideline.
- B. The number of times a Person may win on a single Scratch Ticket shall be set forth in the specific Instant Scratch Game Guidelines.
- C. The determination of Prize Winners shall be subject to the general Scratch Ticket Validation requirements set forth on the back of each Scratch Ticket and as set forth in the Instant Scratch Game Guidelines and, if applicable, the specific Instant Scratch Game Drawing Guidelines.

#### **5.7 Lost or Stolen Scratch Tickets**

If a Scratch Ticket has been reported as lost or stolen, the Director reserves the right to withhold payment of a Prize pending an investigation. At the Director's discretion, Scratch Tickets that are determined to be stolen will not be paid.

#### **5.8 Director's Discretion**

The Director has the sole discretion to determine if a Prize shall be paid pursuant to this Rule 5. If no Prize is paid, the Director, at their sole discretion, may replace the disputed Ticket with an un-played, equivalent Scratch Ticket of the same game or a ticket of equivalent purchase price from any other current Scratch Ticket game. This remedy shall be the sole and exclusive remedy of the bearer of the Ticket.