



# BITZER PARTICIPATION TERMS

FOR A PRIZE COMPETITION ON THE OCCASION OF THE WORLD REFRIGERATION DAY 2020

BITZER Kühlmaschinenbau GmbH, Peter-Schaufler-Platz 1, 71065 Sindelfingen, Germany, e-mail: [bitzer@bitzer.de](mailto:bitzer@bitzer.de), phone +49 7031 932-0, fax: +49 7031 932-147, (hereinafter referred to as „BITZER“) is holding a raffle prize competition (hereinafter referred to as “Competition”) forming a part of its communication campaign (hereinafter referred to as „Communication Campaign“) related to the World Refrigeration Day 2020.

By entering the Competition, the participants (f, m, x; hereinafter referred to as "Participants") accept these Participation Terms.

## §1 COMPETITION

- (1) An ice cream machine of Springlane brand inclusive with a recipe book with a total value of approx. EUR 209,00 (hereinafter referred to as "Prize") will be drawn by lot among all Participants.
- (2) The Competition begins with the start of the Competition announcement on June 25th, 2020, at 10 a.m. German time and ends on July 2nd, 2020, at 2 p.m. German time (hereinafter referred to as "Competition Period").
- (3) The participation is free of charge. A cash payment of the Prize is not possible. The winner (f, m, x; hereinafter referred to as "Winner") shall not assign their claim to the Prize.
- (4) In order to participate in the Competition, the social media user name and the mentioning of the favourite ice cream flavour(s) of the Participant (hereinafter collectively referred to as "Registration Data") must be provided. The Participants must confirm that they are at least 18 years of age. Each Participant is responsible for the accuracy of the information provided.
- (5) The right to change the Prize is reserved.

## § 2 ENTITLEMENT TO PARTICIPATE

- (1) Natural persons who have reached the age of 18 are entitled to participate. Minors under the age of 18 are excluded from Participation.
- (2) There is no title or legal right to participation in the Competition.
- (3) Each Participant is entitled to participate only once. In case of multiple participation BITZER reserves the right to completely exclude such Participant from the Competition.
- (4) Legal representatives, shareholders, employees and agents as well as organs of BITZER SE and its affiliated companies within the meaning of §§ 15 ff German Stock Corporation Act (hereinafter referred to collectively as "Employees") are not entitled to participate. This also applies to the relatives of these Employees.
- (5) Participants whose Registration Data is incomplete or incorrect will be excluded from Participation.
- (6) Any person who makes use of unauthorised aids or otherwise obtains or attempts to obtain an advantage in the Competition by manipulation will be excluded from Participation in the Competition.



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## § 3 IMPLEMENTATION AND HANDLING OF THE COMPETITION

- (1) As part of its Communication Campaign BITZER offers the Participants the opportunity to learn about the system importance of refrigeration and air conditioning technology. This Competition is part of Communication Campaign.
- (2) The Competition will be announced on the following BITZER social media channels on June 25<sup>th</sup>, 2020, at 10 a.m. German time: <https://www.facebook.com/BITZERGroup>, <https://twitter.com/BITZERGroup>, <https://www.linkedin.com/company/bitzer> and <https://www.xing.com/company/bitzer/updates>. In order to take part in the Competition, the Participants must indicate their favourite ice cream flavour(s) in the comment function below the social media post of the Competition announcement.
- (3) At the end of the Competition Period, the Winner will be randomly drawn by lot in July 2020 and notified of their Prize via direct message using the inserted social media user name. Only those Participants who have completely inserted the Registration Data will be entered into the draw.
- (4) In context of the notification, the Winner will be asked to confirm their Prize and to provide their address and telephone number. If the Winner does not respond to the Prize notification within 14 days, BITZER reserves the right to draw a new Winner. In this case, the original Winner loses its claim to the Prize.
- (5) The Prize will be sent by BITZER or by a third party commissioned by BITZER to the address given by the Winner by forwarding agent, parcel service or post. If the address given is incorrect, BITZER is not obliged to determine the correct address. If the Prize cannot be delivered to the Winner within 14 days due to an incorrect address or other reasons given in the sphere of the Winner, BITZER reserves the right to draw a new Winner. In this case, the original Winner loses its claim to the Prize.
- (6) Delivery of the Prize is free of charge. In the event that delivery is made by a forwarding agent, the forwarding agent will contact the Winner to arrange a delivery date. By participating in the Competition, the Participant agrees to the forwarding of their contact data to the forwarding agent selected by BITZER for this purpose, if they have been drawn as the Winner.
- (7) Complaints regarding the implementation of the Competition must be made to BITZER within six weeks after the end of the Competition Period using the contact details given above.

## § 4 TERMINATION, CANCELLATION OF THE COMPETITION

BITZER expressly reserves the right to even early terminate or cancel the Competition without giving reasons at any time. This may in particular be the case if a proper execution of the Competition cannot be safeguarded due to technical or legal reasons. If the termination or cancellation is caused by the conduct of a Participant, BITZER may request compensation from such Participant for the damage caused thereby.



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## § 5 DATA PRIVACY

- (1) BITZER collects, processes, uses and saves the Registration Data of the Participants as data controller in accordance with the legal regulations for the Competition Period and for the purpose of the entire execution of the Competition until the final delivery of the Prize.
- (2) Without expressed prior consent of the Participant the Registration Data will not be used by BITZER or third parties for further purposes not stated in these Terms and Conditions of Participation.
- (3) All personal data provided in the context of Participation in the Competition will be automatically deleted by BITZER after the competition has been completed executed, unless Participant have expressly consented to the further use of their data.
- (4) Further information about data privacy and the rights of the Participants as a person concerned could be found in the BITZER Privacy Policy [<https://www.bitzer.de/gb/en/privacy>].

## § 6 WITHDRAWAL FROM THE COMPETITION

The Participant has the opportunity to revoke their Participation in the Competition at any time. The revocation has to be addressed to BITZER using the contact data given above.

## § 7 LIABILITY

- (1) With the delivery of the Prize, BITZER is released from all its obligations towards the Winner, unless otherwise provided by the following provisions.
- (2) Claims for possible material defects or defects in title of the Prize shall be asserted exclusively against the supplier and/or manufacturer of the Prize, unless BITZER is responsible for them. For this purpose BITZER assigns any respective claim it may have against the supplier and/or manufacturer to the Winner.
- (3) BITZER is liable towards the Participants only for damages caused by intent or gross negligence of BITZER and BITZER Employees. Furthermore, BITZER shall be liable to the Participants in the event of culpable violation of its essential contractual obligations (cardinal obligations). Apart therefrom, the liability of BITZER is excluded. Cardinal obligations are those obligations which fulfilment is essential for the proper execution of the Competition and on which fulfilment the Participant relies and could rely.
- (4) BITZER shall not bear any third-party insolvency risks and shall not be liable for the consequences thereof.
- (5) The limitation of liability of BITZER shall also apply in favour of the Employees of BITZER.
- (6) The limitation of liability according to § 7 (3) does not apply to damages from injury to life, body and health.



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## § 8 GENERAL PROVISIONS

- (1) Recourse to the courts is not permitted.
- (2) The law of the Federal Republic of Germany shall apply exclusively, under exclusion of the German conflict of laws provisions and of the United Nations Convention on Contracts for the International Sale of Goods.
- (3) Place of performance is Sindelfingen, Germany.
- (4) Exclusive place of jurisdiction for all disputes arising from or in connection with the Competition and this Terms and Conditions of Participation is Sindelfingen, Germany. However, BITZER reserves the right to sue the Participant at any other legal place of jurisdiction.
- (5) Should one or more of the provisions of these Participation Terms be or become invalid in whole or in part, the validity of the remaining provisions shall remain unaffected.

BITZER Kühlmaschinenbau GmbH – Status: 06/2020