*These Terms and Conditions have been drawn up as a model for Easypromos users. Easypromos is not responsible for any consequences that may arise from the use of these Terms and Conditions since they are intended solely as an example.*

*All the information collected in this document is confidential; therefore, Easypromos users undertake to not disseminate it publicly or deliver it to third parties. Easypromos reserves the right to take appropriate legal action should a user violate the confidential nature of this document.*

*If you are interested in receiving legal advice regarding the organization of promotional giveaways and contests online and/or on social media, you can contact the law firm* [*Letslaw*](http://www.letslaw.es/) *and they will advise you on reviewing and/or drafting the legal bases. You can contact them by telephone: 0034 914 32 37 72 or email:* *admin@letslaw.es**.*

Terms and conditions for giveaway participation

**(Comments Giveaways on Instagram)**

1. **PROMOTION ORGANIZER**

The company [\_\_\_\_\_\_\_\_\_\_\_\_]located at [\_\_\_\_\_\_\_\_\_\_\_\_\_\_] and identified by number [Company ID number, VAT number] has organized this giveaway (hereinafter, “the Promotion”) of national scope, which will take place on the internet, exclusively for residents of [country] in accordance with the provisions in the participation requirements section.

The purpose of this giveaway is [Ie. reward the loyalty of the followers of the brand].

1. **START DATE AND END DATE**

The Promotion will start on [day X of month, 20XX at XX.00h] and end on [day X of month, 20XX at XX.00h].

1. **REQUIREMENTS FOR PARTICIPATION AND MECHANICS OF THE GIVEAWAY**

The requirements for participation will be as follows:

* Only those who reside in [country, region or city] and are aged [minimum age] and over may participate.
* Only users with an Instagram account may participate.
* Participants must comment on the brand’s Instagram post (while tagging [X number of friends]) during the participation period.
* Participants may only take part in the Promotion from a single Instagram profile. If a participant is found to be taking part from several Instagram accounts, they will be disqualified.
* Even if Participants make more than one comment on the post, they will only be given a single participation in the random giveaway.
* The application will accumulate mentions and hashtags from a single Participant even if they are in different comments.
1. **PROMOTION CONDITIONS AND PRIZES**

The winner will be chosen at random via the Easypromos platform. The winner will be announced on [day and month] through the brand’s social media profiles, together with the Certificate of Validity of the giveaway.

The prize will consist of [detailed description of the prize]. The prize may not be exchanged for cash or any other prize, nor may it be changed or altered in any way.

Running of the giveaway, as well as awarding of the prize, are subject to current tax regulations.

1. **DISQUALIFICATIONS AND PENALTIES**

If it becomes evident that any of the Participants have not met the requirements of the Terms and Conditions, or that the data provided for participation is not valid, the participation is considered null and void and the Participant will automatically be excluded from the Promotion, losing all rights to the prize(s) on offer in the Promotion.

1. **PUBLICATION OF COMMENTS OR OPINIONS**

No comments or opinions whose content is considered inappropriate, offensive, insulting or discriminatory, or that could violate the rights of third parties, will be allowed. Nor will comments be permitted against any individual that are an infringement of personal honor, personal and family privacy, or personal image rights. We will not be responsible for any damages caused by comments made by Promotion Participants, or that may at any time offend the sensitivities of other Participants.

Participation in this Promotion, as well as the publication of comments made by Participants in their posts, may not under any circumstances infringe the [Instagram Community Guidelines](https://help.instagram.com/477434105621119/?helpref=hc_fnav) or the [Instagram Terms of Use.](https://help.instagram.com/478745558852511)

1. **EXCLUSION OF LIABILITY**

By way of example, but not limitation, we are not responsible for any losses, theft, delays or any other circumstances attributable to third parties that may affect the progress of this Promotion; nor are we responsible for the use made by the Participant of the prize obtained in the Promotion.

We do not assume responsibility in cases of force majeure or unforeseeable circumstance that may prevent us from carrying out the Promotion or the total or partial enjoyment of the prize.

1. **FACEBOOK/INSTAGRAM (in case of promotions hosted in Facebook/Instagram)**

The promotion is not sponsored, endorsed, administered or associated in any way with Facebook/Instagram, so the Participants release Facebook/Instagram from all responsibility for any damages that may arise from it.

1. **PROTECTION OF PERSONAL DATA**

In accordance with the provisions of the General Data Protection Regulation, by accepting these Terms and Conditions, each Participant consents to having their personal data included in a file, owned by the Promotion Organizer, for the purpose of managing the giveaway, disseminating and publicizing the results, and administering the awarding of the prize.

We inform you that you may exercise your rights of access, rectification, deletion, opposition, limitation of processing, portability, and right to be forgotten, as well as your right to not be the subject of automated individual decisions, by sending an email to [\_\_\_\_\_\_\_\_\_\_\_\_\_] or a letter to: [\_\_\_\_\_\_\_\_\_\_], attaching, in both cases, a copy of your ID document.

1. **CHANGES AND ACCEPTANCE**

We reserve the right to modify or expand these Terms and Conditions, as long as they do not harm or impair the rights of Promotion Participants.

By participating in the giveaway, the Participant is, by implication, fully accepting the conditions of these Terms and Conditions. Likewise, participation in a gvieaway of this nature implies acceptance of the rules of Instagram, the social network in which the giveaway is to be carried out.

1. **APPLICABLE LEGISLATION AND JURISDICTION**

These Terms and Conditions shall be governed in accordance with the laws of [organizer’s country]. The Courts and Tribunals of the city of residence of the Participants will be competent to resolve any claim or controversy that may arise in relation to the validity, interpretation or fulfillment of these Terms and Conditions.