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***Swiss Lotto***

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**Rules of Play and Terms of Participation**

Valid from 7 February 2022

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## **A. General provisions**

### Art. 1 Organization

1.1 The issue and operation of Swiss Lotto is governed by the Federal Act on Gambling of 29 September 2017, the Implementing Ordinance of 7 November 2018 to this Act, and the corresponding intercantonal and cantonal lottery regulations.

1.2 Swisslos, a cooperative domiciled in Basel, organizes Swiss Lotto in the territory of German-speaking Switzerland<sup>1</sup>, Ticino and the Principality of Liechtenstein (collectively the "Swisslos Contract Territory") in accordance with these Rules of Play and Terms of Participation.

1.3 While so doing, Swisslos works with the Société de la Loterie de la Suisse Romande ("Loterie Romande" or "LoRo"), which operates Swiss Lotto in the territory of French-speaking Switzerland<sup>2</sup> (the "LoRo Contract Territory") according to its own Terms and Rules. Swiss Lotto is operated on the organizational principle of a "common pool". This means that stakes wagered in the Swisslos Contract Territory are pooled with those wagered in the LoRo Contract Territory, that with regard to both Contract Territories there is one joint draw for each, and that winnings are also determined on a joint basis. Consequently, specific organizational modalities are defined by Swisslos in consultation with Loterie Romande, including in particular the definition of the deadline for entry. In all other respects, both Swisslos and Loterie Romande operate Swiss Lotto autonomously in their respective Contract Territories, for own account, at their own risk and for their own profit, each relying on their own technical and administrative infrastructure.

1.4 The common characteristics of Swiss Lotto organized in both the Swisslos Contract Territory and the LoRo Contract Territory are guaranteed by the fact that both these Rules of Play and Terms of Participation as well as the Swiss Lotto Rules of Play and Terms of Participation issued by Loterie Romande are based on the same uniform regulations.

1.5 Participation in Swiss Lotto as defined in these Rules of Play and Terms of Participation takes place via the online system (including the Internet Gaming Platform ["Online participation"]) made available by Swisslos. Subject to issuance of the necessary licences, Swisslos reserves the right to offer other options for participating in Swiss Lotto.

1.6 These Rules of Play and Terms of Participation supplement the provisions governing the playing of Swisslos products via sales outlets and via Online participation .

## **B. The nature of Swiss Lotto**

### Art. 2 The nature of Swiss Lotto

Swiss Lotto is a lottery that works on a totalizer principle and uses two formulas.

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<sup>1</sup> ZH, BE, LU, UR, SZ, OW, NW, GL, ZG, SO, BS, BL, SH, AI, AR, SG, GR, AG, TG

<sup>2</sup> FR, VD, VS, NE, GE, JU

The first formula consists of 42 numbers (field A) numbered from 1 to 42, and a further six numbers (field B) numbered from 1 to 6. Each Swiss Lotto pick ("pick") consists of exactly six numbers from field A and one number from field B.

The winning combination ("winning numbers") is determined by drawing six of the 42 numbers in field A on the one hand, and drawing one of the six numbers in field B on the other. The sequence of the numbers drawn from field A is irrelevant.

The second formula applies to the game "Replay" and consists of 13 numbers, numbered from 1 to 13. In Replay, Swisslos automatically assigns a number between 1 and 13 (the "Replay Number") to the player for each entry confirmation ticket by means of a random generator. No extra charge applies to this. The winning number ("winning Replay number") is determined by drawing one of the 13 numbers.

## **C. Participation**

### Art. 3 General remarks

Players take part in Swiss Lotto using

- physical and electronic play slips (documents with data carrier function) issued by Swisslos on which players can indicate their own predictions,
- quick picks produced by Swisslos on a random generator, or
- another play of the predictions on an entry confirmation ticket or replacement ticket (CopyPlay).

Players can choose between individual picks and system plays. In addition to single predictions, multiple entries are also possible (subscription plays).

### Art. 4 Play slips / quick picks / CopyPlay

#### 4.1 General information

The information on electronic play slips for participating via sales outlets is converted into a machine-readable code in order to be transmitted.

#### 4.2 Single picks

The play slips for single picks contain a grid consisting of number field A with 42 boxes (numbers 1 to 42) and number field B with six boxes (numbers 1 to 6). On the play slip, the player must mark six numbers in field A with a cross (x) and one number in field B with a cross (x), in each grid in which the player wishes to participate in a Swiss Lotto draw.

#### 4.3 System plays

##### 4.3.1 General remarks

Swisslos issues special play slips that enable players to make system plays; one for systems with full combinations in simplified form, and one for abbreviated systems. Only the system plays printed on these special play slips are permitted.

#### 4.3.2 Full-combination systems

In full-combination systems, the numbers that are marked with a cross are combined in every possible permutation to create Swiss Lotto picks.

#### 4.3.3 Abbreviated systems

In abbreviated systems, only a number of specific Swiss Lotto picks of the theoretically possible picks are played.

Detailed information can be found in the Swiss Lotto system brochure.

#### 4.4 Quick picks

Players can also opt to play by making a quick pick instead of using the play slip. Quick picks are predictions produced at the Swisslos data processing centre via a random generator on the basis of the player's instructions stipulating the stake, the number of quick picks required, the system number if applicable, and the desired number of Swiss Lotto draws. These picks are recorded at the Swisslos data processing centre, stored there and then transmitted to the online terminal without any need to fill out a play slip. In principle, the same picks can be made using the quick pick option as are available on the play slips.

#### 4.5 CopyPlay

Players can use CopyPlay to once again play the predictions on an entry confirmation ticket for an identical duration of play provided the predictions on the entry confirmation ticket are not used to participate in any further draws.

#### 4.6 Subscription plays

Whether the player is using a play slip (all types) or using quick picks, he or she can tick the relevant checkboxes (1, 2, 5, 10, or 20) or select the respective instructions to choose the number of consecutive draws he or she wishes to enter. The player then takes part in the designated number of Swiss Lotto draws with exactly the same predictions.

### Art. 5 Conclusion of a contract

Participation in Swiss Lotto in accordance with these Rules of Play and Terms of Participation is open only to persons who conclude a corresponding Gaming Contract with Swisslos. In concluding a Gaming Contract with Swisslos, the player recognizes unreservedly these Rules of Play and Terms of Participation, including any addendums, as well as the Rules of Play and Terms of Participation of the sales channel chosen (sales outlet or Online participation).

### Art. 6 Stake

6.1 The Swiss Lotto stake is calculated on the basis of CHF 2.50 per pick and draw. A minimum of two picks must be played per play slip or quick pick.

6.2 Each Swiss Lotto pick is regarded as a separate game in terms of the evaluation. For subscription plays, the stake of CHF 2.50 per pick is multiplied by the number of draws selected (number of picks x number of draws).

6.3 If players wish to enter Swiss Lotto using a Replay quick pick by redeeming a Replay entitlement won in a draw that took place on or before 29 December 2012, they pay the stake by redeeming the Replay prize.

6.4 If players wish to enter Swiss Lotto using a Replay quick pick by redeeming a Replay entitlement won in a draw that took place on or after 2 January 2013, no stake needs to be paid.

#### Art. 7 Deadline

The deadline for submitting play slips, quick picks and CopyPlay, and the closing time for each draw, is set by Swisslos in consultation with Loterie Romande and announced via the sales outlets in the Swisslos Contract Territory as well as via the electronic information channels used by Swisslos (online terminal, Internet). Any stakes placed after the closing time of a draw are entered in the next draw.

### **D. Treatment of data**

#### Art. 8 Collection and storage of data

8.1 After the data on the play slips or the entry confirmation ticket has been read in at an online terminal or entered via Online participation, it is transmitted to Swisslos; quick picks are generated at the Swisslos data processing centre after the relevant instructions have been transmitted by the sales outlet or via Online participation. All data is recorded at the data processing centre for evaluation purposes and stored and secured on a suitable medium protected with physical or digital safeguards.

8.2 If the data cannot be forwarded to Swisslos for any reason or if it cannot be stored there in order for the owner of the entry confirmation ticket or replacement ticket to assert their entitlement, or if a winning ticket or replacement ticket or a prize claim cannot be honoured for any reason when presented for payment, the liability of Swisslos is limited to reimbursement of the player's stake, or awarding a replacement Replay quick pick, and excludes any other compensation by Swisslos, its representatives or assistants or the manager of a point of sale. In cases where the problem relates solely to a Replay number, there is no entitlement to a refund or replacement.

The stake is reimbursed or the replacement Replay quick pick is awarded on condition that the player furnishes proof that the corresponding play slip or quick picks were duly submitted and the stake paid. No reimbursement or replacement will be provided if a ticket has been tampered with in any way.

### **E. Draw**

#### Art. 9 Draw

9.1 The draw of the winning numbers for Swiss Lotto and Replay applicable in both the Swisslos and LoRo Contract Territories (see Art. 1.3), takes place in three stages with the help of the respective devices.

In the first draw, "draw A", 6 out of 42 numbers are drawn by drawing six balls according to the random principle from the respective device that contains forty-two balls numbered from 1 to 42 at the start of the draw. Next, in "draw B", 1 out of 6 numbers are drawn, also by drawing six balls according to the random principle from the respective device that contains six balls numbered from 1 to 6 at the start of the draw. Finally, in "draw C", 1 out of 13 Replay numbers are drawn by drawing one ball according to the

random principle from the respective device that contains thirteen balls numbered from 1 to 13 at the start of the draw.

9.2 The draws usually take place twice a week, on Wednesday evening and Saturday evening under the supervision of a notary or the competent authorities. The results of the draws, notarized or officially confirmed in writing, are final for the entitlement to a prize in the respective draws.

## **F. Winnings**

Art. 10 Determination and distribution of prizes

10.1 As a rule, 54.5 percent of the Swiss Lotto stakes wagered in the Swisslos Contract Territory and the LoRo Contract Territory (see Art. 6) are distributed as winnings to the players in the two contract territories (the "Swiss Lotto total prize payout").

10.2 The total prize payout in a Swiss Lotto draw is split into eight prize categories (Art. 11.1).

All players who correctly predicted the corresponding quantity of winning numbers with a pick are placed in the relevant prize category.

The prize categories are as follows:

1st prize category: Match 6 numbers in field A and the number in field B

2nd prize category: Match 6 numbers in field A, no match of the number in field B

3rd prize category: Match 5 numbers in field A and the number in field B

4th prize category: Match 5 numbers in field A, no match of the number in field B

5th prize category: Match 4 numbers in field A and the number in field B

6th prize category: Match 4 numbers in field A, no match of the number in field B

7th prize category: Match 3 numbers in field A and the number in field B

8th prize category: Match 3 numbers in field A, no match of the number in field B

10.3 Each individual pick which satisfies the specified conditions will entitle the player to a prize, with the proviso that a prize won in one of the prize categories 1 to 7 excludes entitlement to a prize in a lower prize category. This does not apply to the Replay prizes that can be won in the all prize categories 1 to 8 in addition to a win.

10.4 If only one qualifying pick is drawn in one of the prize categories 1 to 8, then the entire prize payout for this prize category is paid out for the respective pick.

10.5 If there are multiple winning picks in one of the prize categories 1 to 8, the prize payout of this prize category is equally distributed between them.

10.6 If there are no qualifying picks in prize categories 3 to 8, the prize payout for these prize categories is allocated to the booster fund.

10.7 If the prize money for each qualifying pick in prize categories 1 to 7 is lower than for the next lowest prize category, the prize payouts of both prize categories are combined and paid out in equal parts among the winning picks in both prize categories.

10.8 In accordance with common commercial practice, all prizes are rounded to the nearest 5 cents.

Art. 11 Breakdown of prizes

11.1 The total prize payout is allocated as follows:

Prize category	Quantity of correct numbers in		Supplementation (in % of stake)	Allocation to individual prize categories	Maximum prize payout / maximum prize		
	Field A	Field B					
1	6	+	1	30.50%	See Art. 11.2		
2	6	+	0			CHF	1'000'000.00
3	5	+	1	24.00%	5.80%		
4	5	+	0		10.50%	CHF	1'000.00
5	4	+	1		7.30%		
6	4	+	0		18.95%		
7	3	+	1		18.35%		
8	3	+	0		39.10%		
<b>Total</b>				<b>54.50%</b>			

11.2 The share of the prize payout allocated to prize categories 1 and 2 is split across the two prize categories depending on the amount available in the booster fund.

Amount in booster fund (BF) before the draw	Prize category 1 / Jackpot	Prize category 2 / Booster Fund
CHF 0 ≤ BF < CHF 5,000,000	18.75%	11.75%
CHF 5,000,000 ≤ BF < CHF 10,000,000	23.75%	6.75%
BF ≥ CHF 10,000,000	26.25%	4.25%

11.3 If no player predicts the 7 correct digits (1st prize category) in a Swiss Lotto draw in either of the Contract Territories, the prize payout of the 1st prize category is rolled over to the same prize category of the next draw in which the 7 correct Swiss Lotto numbers are predicted (jackpot system).

11.4 If no player in either of the Contract Territories qualifies for the 2nd prize category in a Swiss Lotto draw, the prize payout for the 2nd prize category is allocated to the booster fund.

11.5 In the 2nd prize category, an upper prize payout limit of CHF 1,000,000 may apply ("maximum prize payout"). If the prize payout calculated ("initial prize payout") as per Art. 10 and 11 is higher than the defined maximum prize payout, only the maximum prize payout is paid out to the winning pick(s) in this prize category. The share of the calculated prize payout that is in this case not paid out in favour of the winning picks(s) in the respective prize category is allocated to the booster fund.

11.6 If the initial prize payout calculated for the 2nd prize category as per Art. 10 and 11 is less than CHF 1,000,000, the prize payout is raised to the maximum prize payout defined in Art. 11.5 provided that the following two conditions are fulfilled:

1. There is at least one winning pick in the 2nd prize category.
2. The difference between the maximum prize payout and the initial prize payout is smaller than the compensation amount.

The compensation amount is calculated as follows

a) if there is at least one match in the 1st prize category:

compensation amount = Amount in booster fund after the draw minus jackpot increase plus 50 percent of the prize payout for prize categories 3 to 8

b) if there is no match in the 1st prize category:

compensation amount = Amount in booster fund after the draw plus 50 percent of the prize payout for prize categories 3 to 8.

The compensation amount is drawn from the booster fund first. If the amount from the booster fund is insufficient, the remaining amount is drawn from the prize payout allocated to prize categories 3 to 8. Thereafter, the prizes in prize categories 3 to 8 are recalculated based on the reduced prize payout for these prize categories.

11.7 In the 4th prize category, an upper prize limit ("maximum prize") of CHF 1,000 may apply to the winnings. If the prize per qualifying pick calculated as per Art. 10 and 11 is higher than the maximum prize defined, only the maximum prize is paid out to the winning pick(s) in this prize category. The share of the calculated prize payout that is in this case not paid out in favour of the winning picks(s) in the respective prize category is allocated at a ratio of 80% to the third prize category of the same draw and 20% to the booster fund.

11.8 If the Replay number allocated on the entry confirmation ticket matches the winning number, the player wins free entry into a future Swiss Lotto draw with the same wager in the form of a Replay quick pick.

## Art. 12 Booster fund

The booster fund serves to raise the winnings in the first prize category (Jackpot increase) if there is no carryover from previous draws, or to raise the initial prize payout of the 2nd prize category to the maximum prize payout defined.

The jackpot increase is calculated as the difference between the jackpot announced and the initial prize payout calculated for the 1st prize as per Art. 10 and 11 for the first draw in a new jackpot cycle. It is not possible to draw more funds from the booster fund for the jackpot increase than the amount available in the booster fund. The funds needed to increase the jackpot are first drawn from the booster fund if at least one pick qualifies for the 1st prize category.

If the amount in the jackpot prior to a Swiss Lotto draw being held is CHF 10,000,000 or more (Art. 11.3), then 10% of the prize payout calculated for prize category 1 in accordance with Article 11.2 is allocated to the booster fund.

If the booster fund contains less than CHF 4,000,000 before a Swiss Lotto draw, a further 25.50 percent of the stakes in that particular draw are allocated to the booster fund until it contains at least CHF 5,000,000.

## **G. Notification of draw result / payment of prizes / forfeit of prizes**

### Art. 13 Notification of draw result

13.1 All information relating to the running of individual Swiss Lotto draws, in particular any exceptional changes in the closing time, are published via the electronic information channels used by Swisslos (Internet, online terminal).

13.2 Public notification of the draw result, i.e. announcement of the winning numbers, the winning Replay number, and the prize money, is in the form of prize bulletins published by Swisslos. They are available for 26 weeks from the day of the draw (payout release date) at points of sale in the Swisslos Contract Territory, or can be obtained from Swisslos. The payout release date printed on the prize bulletin is the date of the official notification which is decisive for the calculation of the prize expiry dates as per Art. 15.

If a player takes part in a Swiss Lotto draw anonymously, he or she cannot be notified of a prize. Special provisions apply to entries submitted via Online participation .

### Art. 14 Conditions for the payment of prizes

14.1 Swisslos is deemed to have met, and been released from, its obligation to pay prizes when it, or a Swisslos sales outlet acting on its behalf, makes payment to the bearer of a valid document evidencing the claim to the prize.

14.2 If, prior to payment of a prize, Swisslos should receive information that entitlement to a document evidencing the claim to said prize has been contested, it is entitled to suspend payment and grant the claimant a deadline by which to assert his or her superior right or prove that the question of entitlement to the document evidencing the claim to the prize warrants court proceedings.

Swisslos will make a final decision on the basis of the evidence presented. If the claimant makes the outcome dependent on court proceedings, Swisslos will wait until the court has issued a final and absolute ruling.

### Art. 15 Forfeit of prizes

Prizes which are not claimed within 26 weeks of the date of public notification of the outcome of the Swiss Lotto draw (Art. 13) are forfeited and used for the charitable purpose to which Swisslos contributes.

## **H. Publication of estimated top-ranking prize payout (jackpot)**

### Art. 16 Publication of estimated top-ranking prize payout (jackpot)

Once the results of each draw are announced, Swisslos publishes the estimated top-ranking prize payout for the following draw via the electronic information channels (ISP, Internet, online terminals) and by means of a press release. The estimated top-ranking prize payout is referred to as the "jackpot" and is non-binding. No warranty is given for the information provided. Liability as regards incorrect publication of the jackpot is excluded. Article 10 above is decisive with regard to the determination of prizes.

## **I. *Objections***

### Art. 17 Objections

17.1 Players whose alleged prizes were not paid out on their assertion of a claim in accordance with these Rules of Play and Terms of Participation or, in the case of a Replay win, were not redeemed, may lodge an objection within 10 days of the date of refusal of payment or redemption, but by no later than within 26 weeks of the date of public notification of the results of the respective draw (Art. 13.2). If the player participates via Online participation, the period for objection will begin on the date on which due note is taken that they were not notified of the prize or that the payout was not made or granted. For subscription plays, the appeal period starts from the date of the draw for which the payout or Replay win was refused.

17.2 The objection must be submitted by registered letter addressed to Swisslos and handed in at an office of Swiss Post by no later than the final day of the period for objection. The objection must include the player's name and address, the designation of the sales outlet or any communication channels or agents used to transfer the data, the number or date of the Swiss Lotto draw in question and of the entry confirmation ticket, as well as the grounds for objection. Moreover, the ticket supporting the claim or replacement ticket, or any other documents supporting the claim, must be enclosed. Objections received late or which do not include all the necessary information cannot be considered.

17.3 Solely those numbers which are stored with Swisslos in compliance with the regulatory provisions are relevant for the assessment of entitlement to a prize in accordance with these Rules of Play and Terms of Participation.

## **J. *Publication medium***

### Art. 18 Publication medium

The website [www.swisslos.ch](http://www.swisslos.ch) serves as the Swisslos publication medium.

Details relating to changes in the way winnings are calculated and changes to individual prize category percentages (Art. 11.1) will also appear in this publication medium with binding effect.

## **K. *Transitional provisions***

### Art. 19 Discontinuation of game and successor products

19.1 When one of the games described in these Rules of Play and Terms of Participation is discontinued, any funds remaining in the jackpot are paid out in the final draw. If no player qualifies for the first prize category, the jackpot is added to the next prize category below it with at least one winner.

19.2 If one of the games described in these Rules of Play and Terms of Participation is continued in a modified but comparable way, any funds remaining in the jackpot will be transferred to the successor game. A game will be deemed to have been continued in a comparable way if the product name remains the same, in particular, and if the main characteristics of the game are not modified or only slightly modified.

19.3 If Swiss Lotto is discontinued, any Replay claims arising from the last draw will be paid out in cash based on the price per pick for the draw played, provided that the claims are made within the deadline as per Art. 15.

19.4 If Swiss Lotto is replaced by a successor product as per Art. 18.2, any Replay claims from the previous game will be redeemed by the same number of plays in the successor product provided that they are submitted on time as per Art. 15. If the price per pick of the successor product is lower, a larger number of picks will be granted so that the monetary value of the entries transferred is as high as that of the Replay wins from the Swiss Lotto game that was replaced.

## **L. Final provisions**

### Art. 20 Organizational licences

The licences to issue and operate Swiss Lotto draws granted in compliance with the hitherto applicable lottery legislation and in accordance with these Rules of Play and Terms of Participation, together with the associated activities, apply solely to Swisslos itself (Art. 1.2).

### Art. 21 Decisions of the company management

All decisions in respect of the Swiss Lotto draws are taken by the Swisslos company management. Insofar as these decisions also affect the LoRo Contract Territory, they will be taken in consultation with Loterie Romande. All decisions taken in this manner are deemed to be decisions of the Swisslos company management. Decisions are final and no correspondence will be entered into.

### Art. 22 Validity

22.1 These Rules of Play and Terms of Participation govern only participation in Swiss Lotto in the Swisslos Contract Territory. They enter into force on 7 February 2022. Thereafter, all previous provisions issued governing participation in Swiss Lotto are no longer valid. Swisslos reserves the right to amend these Rules of Play and Terms of Participation.

22.2 Where the English, French or Italian version of these Rules of Play and Terms of Participation deviates from the German version, the German version alone is binding.

22.3 These Rules of Play and Terms of Participation can be obtained from Swisslos, P.O. Box, 4002 Basel, or via the official website [www.swisslos.ch](http://www.swisslos.ch).