

NOTE: Legal bases for promotions in the form of a contest or draw

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- Identification of the organiser/ promoter (company name, registration/ VAT number and address)
- Territorial scope; whether it applies to the whole of Spain or just one region
- Establish whether participation is free or not; whether there are any additional charges for participation
- The timescales of contest/ draw; the dates when the contest/ draw begins and ends (i.e. validity period), the date when the contest/ draw will take place and how it will be carried out (i.e. before a notary or jury etc.)
- Rules and conditions for participation
- How the prize will be awarded and the winner selected; form and manner of publicising the winners
- Nature and value of the prize on offer
- Consequences of fraudulent use of contest; possibility of disqualifying users who violate the rules
- Circumstances in which it will be extended or suspended (in case of force majeure / unforeseen circumstances)
- Authorisation for the capture, publication and dissemination of images of the winners (i.e. the transfer of images and IP rights of the winners)
- Personal Data Protection clause / policy if personal data is going to be collected (comply with the information requirements of Art. 5 LOPD). Note the [GDPR](#) may now apply; check these aspects in particular with legal advisors, as sanctions for failing to comply are severe
- Other legal policies that can be applied to the contest or draw