

TERMS AND CONDITIONS FOR BIASHARA NI LIPA NA M-PESA PROMOTION

The following terms and conditions apply to the **M-PESA BUSINESS PROMOTION** (the “**Promotion**”) and by participating in the Promotion you will be deemed to have read, understood and accepted the same:

1. The Promotion and the Promotion Period

- (a) The Promotion will run from **0000 hours** 15th November 2021 to **2359 hours** 10th January 2022 to (“**Promotion Period**”).
- (b) The Promotion will be conducted on a regional basis. The regions are as follows:
 - (i) Nairobi
 - (ii) Central/Mount Kenya
 - (iii) Nyanza
 - (iv) Western
 - (v) Rift Valley
 - (vi) Coast
 - (vii) Eastern
 - (viii) North Eastern
- (c) The merchant's region of participation will be determined at the start of Promotion based on the favourite location of the subscriber in the past three (3) months.

2. Eligibility

Merchant Eligibility

- (a) The Promotion is open to all existing, inactive and new Buy Goods merchants/tills and Pochi La Biashara Merchant wallets that will be onboarded during the promo period.
- (b) All Merchants will be automatically opted into the promo and will have an opt out option via *234# or M-PESA Business app for business till and *334# for Pochi merchants.
- (c) Every qualifying till/wallet will earn one point for every transaction (payment received or made from the till/wallet) of Ksh. 50 and above.
- (d) Only Pochi La Biashara Merchants will be able to redeem the points accumulated for cash at any time from the Pochi wallet @ 1 point = Ksh. 1
- (e) Points accumulated by Pochi Merchants will also be entered into the draw to win daily, weekly, monthly and grand draw prizes.
- (f) All other Merchants will earn points that will be entered into the draws to win daily, weekly, monthly and grand draw prizes.
- (g) Pochi La Biashara and Business till Merchants will earn 2 mins of talktime daily for the first 3 transactions (maximum of 6 mins daily)
- (h) Qualifying transactions: Payment collection, merchant to customer, merchant to merchant, merchant to utility and sell airtime.
- (i) Merchants can only earn points from the same mobile number or till for a maximum of 2 transactions per day.
- (j) If a transaction is reversed, both points and cashback will be reversed.
- (k) Every point earns you an entry into the daily, weekly, monthly and final prize draws.

3. Entry and Participation in the Promotion

- (a) Performance of the following transactions will earn you points in this Promotion:
 - (i) For M-PESA Buy Goods and Pochi La Biashara Customer to Business transactions.
 - Business to Business transactions.
 - Merchants to Mobile number payments.
 - Merchant to Pay bill Payments.
 - Merchant to Merchant payments.
 - Merchants Sell Airtime Transactions.

(b) The following transactions are exempted from eligibility and shall not earn you points in the promotion:

- (i) All M-PESA subscriber deposits or Agent withdrawal transactions;
 - (ii) Off-net transactions;
 - (iii) M-PESA subscriber and Agent withdrawals;
 - (iv) M-PESA balance inquiries;
 - (v) Generation of the M-PESA Customer statement or mini statement;
 - (vi) Change of M-PESA PIN;
 - (vii) Change of M-PESA Menu Language;
 - (viii) Updating of M-PESA Customer menu;
 - (ix) Updating or changing M-PESA Customer records;
 - (x) All M-Shwari and KCB M-PESA transactions; and
 - (xi) All transactions by M-PESA Agents and Customers whose accounts are suspended or frozen.
- (c) All Business Till and Pochi La Biashara merchants with earn 1 point for every transaction of Ksh. 50 and above and points earned will be entered into a draw to win daily, weekly, monthly and grand draws.
- (d) Only Pochi La Biashara Merchants will be able to redeem their accumulated points for cash @ 1point = Ksh. 1

4. Prizes

By entering into the Promotion, you stand to win the prizes shown in the matrix below:

(a) **Daily Prizes:**

- Business Till & Pochi La Biashara merchants earn 2min talktime for 1st 3 transactions daily for Ksh. 50 and above
- Working capital of Ksh 5,000 and Ksh10,000: 40 merchants daily

(b) **Weekly Prizes:** 16 Bajajcs weekly; 128 in 8 weeks.

(c) **Monthly Prize:** 16 Isuzu D-Max single cab Pick-ups.

(d) **Grand draw:** 8 Fuso 3 ton trucks.

Promotion Mechanics: Weekly and Final draw

- (e) The number of prizes to be awarded daily may be varied by Safaricom in consultation with the Betting Control and Licensing Board (BCLB).
- (f) Prizes will be awarded daily, weekly, monthly as indicated and based on Region beginning on 22nd November 2021.

5. Draws & Selection of Winners

- (a) Draws will be conducted at such time as may be agreed by Safaricom and BCLB.
- (b) Daily and weekly Draws will be run on the entries received in the promotional database as at 2359 hours on the previous day.
- (c) Safaricom and BCLB will select the winners by random computer selection. Any decisions made on the winner by BCLB and Safaricom shall be final and binding. Safaricom may select additional reserve winners to replace any winners of any of the Prizes who are subsequently disqualified. The promotional database will pick every winner and associate it with a prize randomly drawn for the available prizes for the day, or grand draw.
- (d) For all prizes except the daily prizes, draws will be conducted weekly except for weekends and public holidays when the draws will be conducted on the next weekday or working day as the case may be.
- (e) Winners will be published on local daily newspapers, radio, television, Safaricom's website and any other media as Safaricom may choose from time to time.

6. Disbursement of Prizes

- (a) Winners of the bajijs, pick ups and trucks (Grand prizes) will be notified at the end of the draw through number **0722 000 000** and will collect their prizes at Safaricom Headquarters in Nairobi or such other location as Safaricom shall notify them.
- (b) Cash prizes worth Kshs 5,000 and Ksh.10,000 will be sent to the winners through M-PESA. The winners will meet the cost of withdrawing the cash sent through M-PESA and the terms and conditions of usage of the M-PESA service apply.
- (c) All talktime and airtime winners will receive an SMS notifying them of the win and will be topped up by Safaricom over the air.

7. Notification of Winners

- (a) Safaricom will make not less than six call attempts over a forty-eight (48) hour period to contact you. If you do not answer any of the call attempts within the prescribed period and identify yourself you will be deemed to have forfeited the chance of winning the prize and Safaricom will thereafter call the reserve number selected.
- (b) For the avoidance of doubt missed calls and calls diverted to voice mail will not be deemed to have been answered for purposes of the Promotion.
- (c) A confirmation SMS message informing the merchant of the points awarded daily will be sent to the nominated number as well as the till every day.

8. Other terms and conditions

- (a) These Terms and Conditions are supplemental to and subject to the published M-PESA, Safaricom Prepay, Postpay and Lipa na M-PESA Terms and Conditions.
- (b) Safaricom, with the prior approval of the Board, reserves the right to verify the validity of entries and to disqualify any entrant who tampers with the entry process, including but not limited to canvassing or submitting an entry that is not in accordance with these terms and conditions.
- (c) The prizes are non-transferable and no cash or other alternative shall be offered for any non-cash prizes.
- (d) By accepting a prize, you will be deemed to have granted Safaricom the right to use and publish your name and picture in such media as Safaricom may choose (including but not limited to the internet) for information, advertising and promotional purposes without additional consideration.
- (e) Safaricom reserves the right (subject to any direction from BCLB) to suspend or terminate the Promotion or amend these terms and conditions at any time for any technical or commercial reason. Any amendment to these terms and conditions will be published on the Safaricom website www.safaricom.co.ke and published in one daily newspaper.
- (f) Safaricom Dealers and their employees, employees of Safaricom PLC, Safaricom retail shops, ScanGroup Limited, Dentsu Limited and their affiliates, Betting Control and Licensing Board and any other supplier or third party directly involved with the facilitation of this Promotion and their immediate families and dependants shall not be eligible to participate in this Promotion. Each prize winner will be required to declare or affirm in the Form of Discharge that they do not belong to any of the restricted groups of persons.
- (g) The promotion excludes Safaricom retail centers.
- (h) If you are selected as the winner of a prize and notified accordingly and you do not claim the prize within a period of three (3) months from the closing date of the Promotion you will be deemed to have forfeited the same.
- (i) In the event that there are any taxes applicable to the Prizes, Safaricom will deduct the same and remit to the Tax Collection Agency. The Winners will be presented with the Tax withholding Certificates where applicable.
- (j) The Promotion remains subject to the provisions of the Betting Lotteries and Gaming Act (Cap 131 Laws of Kenya) and any disputes arising hereunder shall be resolved in accordance with such provisions.

CAUTION: Safaricom does not require subscribers to send airtime, money or any other consideration in order to award any of the promotion prizes and will not be liable for any losses or other damage incurred by subscribers who do not heed this caution.

