

# Publishing Winner Information

Approved by: Vice President, Social Responsibility  
and Communications  
Last Reviewed: October 2016

## Purpose

**To provide guiding principles and establish requirements that govern why, when and how BCLC may publish information about winners of lottery prizes.**

## SCOPE

This policy applies to any BCLC employee who:

- intends to Publish Personal Information pertaining to a Winner of a Lottery prize;
- proposes, designs, administers, or supports a system, project, program or activity that involves publically disclosing Personal Information pertaining to a Winner of a Lottery prize; or
- enters into contracts on BCLC's behalf with third parties that involve Publishing Personal Information pertaining to a Winner of a Lottery prize.

It applies to any Lottery game and any promotion or contest associated with Lottery where BCLC administers the prize, regardless of prize amount.

It applies to Winner's Personal Information that is within BCLC's Custody and Control, including circumstances where BCLC has a legal responsibility for the ongoing maintenance, security, accessibility and disposition of the information, and associated costs. For clarity, this includes Winner's Personal Information that physically resides with a third party but is owned by BCLC.

## CONTEXT

The *Freedom of Information and Protection of Privacy Act*, British Columbia (FIPPA) governs how BCLC may collect, use, and disclose Personal Information. FIPPA applies to Personal Information collected from Winners.

BCLC's Rules and Regulations Respecting Lotteries and Gaming and the Interprovincial Lottery Corporation Rules and Regulations Respecting Lottery and Gaming (collectively, the Rules) provide that BCLC has no obligation to pay a prize to a Winner unless the Winner gives BCLC the right to Publish certain prescribed information.

Canada's Anti-Spam Legislation (CASL) governs how BCLC may use the internet, email, social media, instant messaging or short message service (SMS) to send out commercial electronic messages, including messages sent out to Winners.

This policy supplements, and does not supersede, other BCLC corporate policies, including:

- [Privacy Policy](#), which governs the collection, access, use, disclosure, storage, and disposal of Personal information, including Personal Information belonging to Winners;
- [Responding to Requests for Access to and Correction of Personal Information Policy](#), which establishes a procedure for individuals to access, correct or annotate their Personal Information upon request; and
- [Media Relations Policy](#), which establishes a protocol for responding to media inquiries, including those concerning Winners.
- [Signing and Spending Authority Policy](#), which provides employees with direction on their responsibilities when negotiating or finalizing a contract, including those contracts involving the Publishing of Personal Information pertaining to Winners.

### POLICY STATEMENT

BCLC Publishes Winner's Personal Information for two purposes. BCLC promotes player trust and confidence in the integrity and security of BCLC's games by informing the public that a Lottery prize has been paid to the rightful person(s) and by Publishing the identity of Winners. BCLC also Publishes Winner's Personal Information to effectively market Lottery products as part of BCLC's mandate to optimize its financial performance and sustain net income to the Province of British Columbia.

When BCLC Publishes Winner's Personal Information for any Lottery game, promotion, or contest, regardless of prize amount, it will do so in accordance with the following guiding principles:

**Intent Principle.** BCLC may Publish Winner's Personal Information for the following reasons:

- to promote transparency by demonstrating there are Winners;
- to promote the integrity of its games, promotions and contests by demonstrating BCLC pays out to the rightful Winner; and
- to effectively market Lottery products in order to fulfil BCLC's mandate to optimize its financial performance and sustain net income to the Province of British Columbia.

**Amount of Information Published Principle.** BCLC shall apply a consistent approach to Publishing information about Winners, taking into account the circumstances of the win (e.g., game, Winner's story) and prize amounts. BCLC may Publish more information about Winners of larger prizes given there is greater public interest in knowing who the rightful Winner is of these prizes.

**Duration Principle.** BCLC shall Publish information about Winners for a time period that is reasonably long enough to inform other players that a prize BCLC has promoted has been won

and by whom and to achieve BCLC's marketing objectives, but is limited in order to balance these objectives with protecting the privacy of Winners.

**Consent Principle.** BCLC shall obtain written consent from Winners in order to Publish their Personal Information. Consent needs to be meaningful such that Winners are provided the opportunity to fully understand how BCLC will use their information.

**Privacy Principle.** BCLC respects the privacy of its Winners and shall only collect and Publish the minimal amount of Personal Information required to achieve its legitimate purposes as described above in the Intent Principle.

### POLICY DETAILS

The following sections address BCLC's requirements and parameters for Publishing Winner's Personal Information, including why, when and how BCLC publicizes Winners of Lottery prizes. These sections may not address every possible scenario or policy issue related to the disclosure of Winner's Personal Information. For any matter not specifically covered in the following sections, the guiding principles outlined above should be applied to determine whether, in BCLC's sole discretion, Publishing a Winner's Personal Information is reasonable, appropriate and/or necessary.

**Information Published.** BCLC may Publish the following Winner's Personal Information in accordance with BCLC's privacy policies and FIPPA:

- name (given, middle, and surname)\*
- place of (current) residence\*
- photograph (of true current appearance)\*
- Prize details\*
- the Winner's story
- occupation
- employer\*\*
- marital status
- personal quote
- other Personal Information, as volunteered by Winners

BCLC shall not Publish the following Winner's Personal Information:

- age
- address\*\*\* or other contact information
- Personal Information belonging to a third party

\* Under the Rules, BCLC has no obligation to pay a Prize to a prize claimant who refuses consent to publication of this information.

\*\* BCLC does not typically publish employer information, except in the case of a suspected insider win or group win where publishing serves a legitimate purpose (as described in the Intent Principle).

\*\*\* Despite the Rules speaking of address, BCLC only Publishes place of residence.

**Sensitive Personal Information.** During the prize claim process, BCLC may incidentally collect sensitive pieces of Personal Information about its Winners or other persons. BCLC shall endeavour to protect this sensitive Personal Information. In the event there is a legitimate purpose (as described in the Intent Principle) to Publishing sensitive Personal Information, BCLC confers with Winners to address their concerns or objections prior to Publishing.

For clarity, sensitive pieces of Personal Information may include financial or banking information or information that reveals a person's citizenship, ethnicity, political opinions, religious or philosophical beliefs, trade-union membership, health condition or sex orientation.

**Removing Personal information.** Prior to Publishing, BCLC shall edit, delete, or otherwise remove content containing Personal Information that must not be Published, in accordance with this policy, including any Personal Information that is collected without consent to Publish (e.g., Personal Information belonging to a third party). This applies to any content within BCLC's Control and Custody, including content created by third parties on behalf of BCLC.

**Duration.** As part of the prize claim process, BCLC may Publish Winner's Personal Information for no longer than two years, starting from the date when the Winner is first declared publically.

After this initial period for Publishing concludes, BCLC must not Publish new material containing a Winner's Personal Information, unless the Winner's express written consent is obtained (see 'Additional Consent') or BCLC is required to disclose to comply with statutory authority. This applies to BCLC and third parties that may publish on behalf of BCLC.

BCLC must endeavour where feasible and practicable to remove or otherwise prevent further dissemination of Published Winner's Personal Information when the initial period for publishing concludes and/or when a Winner's written consent is no longer applicable (see 'Additional Consent'). This applies to content within BCLC's Custody and Control, including content disseminated by third parties on behalf of BCLC (e.g., original posts uploaded to BCLC's corporate digital channels, such as BCLC.com).

Winner's Personal Information republished or disseminated by third parties not acting on behalf of BCLC is considered beyond the Custody and Control of BCLC. In these cases, the publishing and dissemination of Winner's Personal Information is subject to the privacy policies of those third parties. BCLC is not responsible for content republished or otherwise disseminated by third parties.

**Media.** BCLC may Publish any text, audio, image, or video containing Winner's Personal Information through any digital or traditional communication channels. Media includes broadcasting through radio and television, Publishing through print, internet or social media platforms, phone or mobile messaging, signage (digital or otherwise), and point-of-sale materials.

**Publishing Exception.** A Winner may request that an exception be made to the type and extent of Winner's Personal Information that is Published. BCLC, in its sole discretion, will determine whether the basis for the Winner's request, such as a serious threat to a Winner's safety, is well founded. In cases where an exception is approved, BCLC shall determine the type and extent of information Published about the win in accordance with this policy's guiding principles. BCLC should Publish, at a minimum, that a Winner has been verified, paid and granted anonymity in accordance with BCLC policy.

**Administration.** Requests from Winners to remain anonymous to the public shall be assessed on a case-by-case basis, in accordance with this policy's guiding principles. Requests must be substantiated with evidence that is verifiable and capable of independent confirmation. Granted requests must be documented in writing and include the rationale for approval.

**Approvals.** The Vice President, Lottery, or their designate, may approve exceptions. Prior to approval,

- the Vice President, Corporate Security and Compliance must be consulted;
- the Vice President, Social Responsibility and Communications must be consulted; and
- the Chief Executive Officer and President must be notified.

**Consent During Prize Claim.** BCLC shall obtain express written consent from a Winner to Publish their Personal Information during the administration and processing of a prize claim. Such consent must reflect and adhere to this policy and BCLC's Privacy Policy. If a prize claimant refuses such consent, a Prize may be withheld in accordance with the Rules.

As part of the prize claim process, BCLC may ask a Winner for consent to future contact for the purpose of obtaining additional consent to use Personal Information as described below. A Prize cannot be withheld if a prize claimant refuses consent to such future contact. Requests for additional consent must not be made when consent to future contact is refused or otherwise not obtained.

**Additional Consent.** Additional express written consent from a Winner must be obtained in the event BCLC plans or anticipates using their Personal Information beyond that provided for in the prize claim process. Additional consent must be obtained in relation to a specific promotion, event or effort planned or anticipated by BCLC. Publication must be limited in duration to what is reasonably necessary to carry out such activity. Additional consent must reflect and adhere to this policy and BCLC's Privacy Policy. Additional consent may be sought at any point in time after the administration and processing of a prize claim. Winners are not obligated to provide additional consent.

### ROLES AND RESPONSIBILITIES

**Player Services** is responsible for:

- collecting Winner's Personal Information during the prize claim process;
- obtaining consent from Winners to Publish their Personal Information as part of the prize claim process;
- storing and maintaining consent records; and
- receiving requests from Winners to remain anonymous, collecting evidence, reviewing and assessing requests, forwarding requests for approval, and coordinating approvals.

**Director, Communications** is responsible for:

- determining the type and extent of Winner's Personal Information to be Published in accordance with the requirements of this policy
- coordinating BCLC's communication of Lottery wins intended for publicity purposes; and
- responding to media inquiries about Winners, in accordance with BCLC's Media Relations Policy.

**Departments that plan promotions, events or other efforts (marketing or publicity)** are responsible for:

- obtaining additional consent to Publish a Winner's Personal Information, as appropriate, and forwarding consent records to Player Services.

**Departments that create or Publish content for a BCLC communication or marketing channel** are responsible in their respective areas for:

- Publishing Winner's Personal Information in accordance with the requirements of this policy;
- editing, deleting, or otherwise removing content containing Personal Information, as necessary; and
- removing or otherwise preventing the dissemination of content in BCLC's control and custody, in accordance with this policy.

**Corporate Security and Compliance** is responsible for:

- providing assistance in assessing requests from Winners to remain anonymous to the public, including validating documented evidence and corroborating rationales provided by Winners.

### COMPLIANCE

**Exceptions.** Exceptions to this policy may be granted on a case-by-case basis and at the discretion of this policy's Approving Body, unless otherwise directed by this policy. Requests for an exception must be submitted in writing.

**Non-Compliance.** The publication of Winner's Personal Information is governed by FIPPA and BCLC's Privacy and Privacy Breach policies. Failure to comply with an aspect of this policy may result in a privacy breach and/or a complaint to the Office of the Information and Privacy Commissioner, which may conduct an investigation and subsequently issue BCLC an order to comply with FIPPA. Employees may also be subject to administrative, civil, or criminal sanctions if they willfully or negligently disclose Personal Information to unauthorized persons. Each case will be handled on an individual basis with full review of all pertinent facts. Severity of the violation will determine action taken.

### DEFINITIONS

**Control (of information)** – has the meaning ascribed to it in BCLC's Privacy Policy. As at the date of this Publishing Winner Information policy, Control means the power or authority to manage the information throughout its life cycle, including restricting, regulating and administering its use or disclosure. In the event of a conflict between this definition and the Privacy Policy definition, the Privacy Policy definition will prevail.

**Custody (of information)** – has the meaning ascribed to it in BCLC's Privacy Policy. As at the date of this Publishing Winner Information policy, Custody means having physical possession of information. Physical possession normally includes responsibility for access, managing, maintaining, preserving, disposing, and providing security. In the event of a conflict between this definition and the Privacy Policy definition, the Privacy Policy definition will prevail.

**Lottery** – refers to the brands operated by the BCLC business unit responsible for the marketing, sales and distribution of lottery products and services, including national and provincial lottery products.

**Personal information** – has the meaning ascribed to it in FIPPA. As at the date of this Publishing Winner Information policy, Personal Information means recorded information about an identifiable individual, other than information to enable an individual to be contacted at a place of business (includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual). In the event of a conflict between this definition and the FIPPA definition, the FIPPA definition will prevail.

**Prize** – has the meaning ascribed to it in the Rules. As at the date of this Publishing Winner Information policy, Prize means a sum of money, merchandise, property, service or any benefit to which a Winner is entitled. In the event of a conflict between this definition and the Rules definition, the Rules definition will prevail.

**Publish** – means disseminating Winners' Personal Information to an audience outside of BCLC, through any digital or traditional communication channel.

**Winner** – has the meaning ascribed to it in the Rules. As at the date of this Publishing Winner Information policy, Winner means the holder of a winning ticket or an individual (and for greater certainty, a Winner cannot be a corporation) entitled to a Prize under a lottery according to the

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conditions established by the Corporation. In the event of a conflict between this definition and the Rules definition, the Rules definition will prevail.

### POLICY OWNERSHIP

Contact Position	Manager, Media and Issues Management
Policy Owner Position	Director, Communications
Approving Body	Vice President, Social Responsibility and Communications

### REVISION HISTORY

Version Number	Approval Date	Approved by	Amendment
1.1	Mar 3, 2017	Director, Communications	Minor amendment to remove reference to the Contract Approval Policy which has been superseded by the Signing and Spending Authority Policy.
1.0	Oct 18, 2016	Vice President, Social Responsibility and Communications	Initial Release