

Your Questions Answered 2007

Send me any sweeping or contesting questions you would like answered. questions@contestqueen.com

Hello Contest Queen;

Thank you for your great site. I have a question about the math skill testing questions (STQ) sometimes asked to enter a contest. I learned in school you always do the question in the brackets first and always multiplying and division questions first then the adding and subtracting, no matter how it is written, but when I do this sometimes I get a decimal or a negative number.

One question was written as $452 + 741 - 451 \times 32 / 8$ but if you do the 451 multiplied 32 divided by 8 first then the adding and subtracting you get a negative number. So I guess I just do it as it is written? If there were brackets around part of the question you do these first don't you? I'm just starting to enter contests and would be devastated to get a winning call and get the question wrong. Thanks for your help.

Catherine

Hi Catherine,

This problem just drives me nuts!!

If they phone, I ask up front if they want me to use BEDMAS to solve the problem or answer the question left to right. They usually tell you or you have to explain the two methods. They want you to win so they will guide you accordingly.

If the STQ is on a release form, I put down both answers with an explanation to both and to why there are two possible right answers. I have yet to be disqualified when I do this.

If the STQ is on an entry form, I email the company outlining the problem. Sometimes they fix it. Sometimes they don't.

Just enter, have fun and don't sweat it.

GOOD LUCK,

Carolyn

Hi Carolyn,

I would like to know how to find sweeps that are harder to find. How the free internet newsletters seem to all have the same sweeps. Is there a way to use search engines or some other means to get the harder to find sweeps that everybody else is not entering.

Beverly

Brownsburg IN

Hi Beverly,

I am not sure if you did internet searches if it would yield you better results than using a site such as www.online-sweepstakes.com and it would be more time consuming. How I win most of my prizes is I do the online version of the locals.

Do you live near a big city? I am about a 45 minute to 1 hour drive outside Toronto. So I enter all the contests for all the Toronto TV, radio stations and newspapers. I sign-up for their e-newsletters to get notified of promotions first, some include bonus codes to their loyalty or VIP online clubs or exclusive promotions for subscribers only. I check all their sites once a week and enter anything new as most are one entry only per person. The prizes are not always small either as we won a two week trip to Europe this way and a Harry Potter weekend in London too.

GOOD LUCK,

Carolyn

Thanks Carolyn,

I will certainly give the locals a try and yes, I live close to a big city. I was getting a little discouraged I do a lot of mail-in entries and have been winning very little.

I appreciate you getting back to me.

Beverly

Hi Beverly,

I don't do a lot of mail-ins as in Canada we pay 52 cents (plus 5 cents tax!) for every letter sent. We don't have a postcard rate either. 85% of my wins are from online entries. The balance are from a few mail-ins, radio phone-in, text messaging on my cellphone or in person (drop box/entry form).

Let me know how it goes for you. Remember to give it three to six months, as what you enter today may not draw for awhile.

Carolyn

Hi.

I took your advice and won a \$100.00 gift card locally.

Thanks

Beverly

Hi.

Could you please clarify contest tax laws? One contest at Canadian House and Home states winners are subject to municipal, federal and provincial taxes. All contest suppliers like yourself, say Canadian contests are not taxable income.

Another contest is Nestles Mothers Day contest from last summer. Could you tell me what the tax laws are on that one? One winner was from Alberta, one from Ontario and one from New Brunswick. Total prize value was \$22,000 in services including yoga for a year, catering for a year and Molly Maid for a year. I have many questions:

- 1. Is the winner obligated to pay taxes?**
- 2. Does each service provider have to pay taxes on their portions, or is everybody exempt from paying income tax?**
- 3. Since the companies receive the actual cash payments from the contest for the work they do for the winner, are they responsible for income tax on the earnings or are they covered by a Canadian contest non taxable win and are exempt also? I have heard that no T4 slips will be issued by Nestles.**

4. **Are cash winnings subject to taxes but merchandise ones not? Canadian tax returns say lotteries are not included in income, but doesn't mention contests.**
5. **Does it vary in all provinces?**
6. **Is there a page of income tax rules you could send me? I am very confused on the varieties. I know U.S. contests are taxable.**

Hope you can help me on these questions

**Lorraine
Alberta**

Hi Lorraine,

There is no page of tax laws I can send you. When you win something in Canada you are not obligated to pay INCOME tax on wins of any kind. For example, in the United States if you earned \$35,000 per year and you won a \$35,000 car, the next year you would pay income tax on \$70,000. In Canada you would not.

However, you are obligated to pay municipal, provincial and federal taxes if asked. For example, my husband and I won a trip to Europe. The trip was free and we paid no income tax. We were asked to pay, as per the rules, the GST, PST and airport taxes which equaled about \$250 each. We have won other trips and were not asked to pay anything and others where we only paid the hotel taxes when we checked out.

Do not offer to pay anything unless asked no matter what the rules say. If asked and then you are obligated to pay or you possibly could forfeit the prize.

You seem to be saying that the maids will be paid in cash for their services to the winner by Nestle and are they responsible for paying income tax. They didn't win anything. So, yes they pay taxes because Nestle is a client and they pay corporate income tax on all their sales just like every other business in Canada. You are the winner, not the maid company.

GOOD LUCK,
Carolyn

Hi Carolyn,

I am afraid to open anything in my Bulk mail because it might be a virus. I do receive many VERIFICATION notices in my Bulk mail. Is there a chance I might be opening TROUBLE instead of a notification?

Thank you for your advice on contests.

**Gaynor
Nanaimo, BC**

Hi Gaynor,

Before I delete any bulk mail, I scan the list quickly to see who they are from.

Once in awhile I recognize a "safe" name and unblock the email address.

I have never found a winning notification in my Spam folder but my husband has once and it was for a CD.

GOOD LUCK,
Carolyn

A question I get asked almost on a daily basis is, “*Don’t you get a lot of spam entering all those contests?*” The answer is not any more than anyone else. The sad reality of being connected to the Internet is your computer is vulnerable to all sorts of things including; spam, spyware, viruses, worms, trojans, etc. Make sure your computer is protected by installing various software packages. A list of some of the better programs can be found in the [Internet Tools](#) section of my website.

Apple has created [a funny ad](#) highlighting the advantage of owning a Mac vs. a PC (with all its security issues). The only downside is none of the software used to make entering faster, such as RoboForm, is available for Macintosh computers.

GOOD LUCK,
Carolyn

Hello,

I am an avid sweepstaker. I have won many prizes over the years, and I love to enter for my family too. My oldest son lives in Canada (in the Toronto area). Can I enter him in any sweeps that are open in US and Canada, by mailing the entries from the US?

His two little girls would LOVE to win a trip to DisneyWorld (among other things). I’ve won nice trips for my other children and their families; I want very much to win for him and his girls too.

Thanks for any information you can give me!

**Jean
Savannah GA**

Hi Jean,

I love entering my family too. There is nothing like sharing the excitement of this hobby with those you love.

Yes, you can enter for your son. As long as the winner resides in the area of eligibility (e.g. he lives in Canada and the contest is only open to Canadians) it doesn’t matter where the entry was mailed from. You can enter him into contests open to Canadians (visit any of these sites: [Canadian Contest Sites](#) to find eligible promotions) or any that are open to both Canada and the US.

Sometimes I think distance helps. I was in Vancouver, and had some entries local to Toronto that I didn’t have a chance to mail before I left on vacation. So I mailed them from across the country. Well, I guess the distance put them in the right place in the mail bag because I won!

GOOD LUCK,
Carolyn

Hi Carolyn:

I have tried repeatedly to enter the [Maid for a Year contest](#) (that sounds like a good prize!), but it refuses to accept my word verification. I’m not blind and stupid, so I know how to read the words and how to type them in the box. But it repeatedly tells me I have typed in the wrong word. Are these entry forms rigged to limit the entries? Are you able to contact someone there and get them to fix it?

Thanks,
Ralph
Thornhill, ON

Hi Ralph,
I get that sometimes with some contests too. You can try using another browser such as [Firefox](#) or [Netscape](#) to enter. There is no rigging to limit entries. What you are encountering is poor promotional execution. They did not test their contest properly before it was launched. (That drives me nuts!!) I always find the Contact Us information on the website and let them know about the problem. Sometimes it even gets fixed. If you can't find it, contact the sponsoring company's corporate website.
GOOD LUCK,
Carolyn

Hi there,
Just want to quickly ask what will happen to all my contest entries (100+) now that I'm moving from Alberta to Quebec? Have you heard anything in regards to such a situation?
Sincerely,
Louise
Calgary AB

Hi Louise,
This is the first question in three years I have not had an immediate answer to. I turned to two industry experts and received two different answers. One stated you would be ineligible and the other the entries sent in while you were an Alberta resident would be valid. My advice is to focus on winning, keep entering and the prizes will come. Remember to visit the Resources page on my website to check out all the websites featuring contests open to Quebec residents.
GOOD LUCK,
Carolyn

Good Evening Carolyn:
I have a question in regards to the skill testing questions. What does (63/7) + (5x11) mean? I'm questioning the first part (63/7) is that 63 divided by 7? I've checked the archives and unless I missed it, I could not find any clarification on this. Obviously I'm very new at this (2.5 months) but really enjoy this new hobby of mine even though I haven't won yet. I know it's only a matter of time. Enjoy reading your newsletter! Thanks for the advice. I desperately need it.....
JR
Prince Albert, SK

Hello JR,
You are right, / = divide. So $(63/7) + (5 \times 11)$ = is calculated out like this: $63/7 = 9$ then $5 \times 11 = 55$ then $9 + 55 = 64$.
GOOD LUCK,
Carolyn

Hi Carolyn,

I have a question regarding the selling of contest or sweepstakes wins. I understand Canadians do not have to pay income tax on any prizes, however, someone was telling me if, for example, I was to win a truck and then sell it, I could be stuck with some sort of capital gains taxation by Revenue Canada? Is this true? Thanks for your help.

Tania

Calgary, AB

Hi Tania,

Not being a tax expert I consultant with my accountant, [Arden Vanderhorst](#), and here's what he had to say:

Wins are not taxable, therefore you would be most likely selling the vehicle for either the amount it was worth or less so there is no capital gain. If by chance you should sell it for more then its stated value then you may be required to pay tax. However, each circumstance could be different so double check with your personal accountant.

For example, if you won an average car, you probably couldn't sell it for more than its stated value. Sometimes promotions give away really unique vehicles like the pink Juicy Fruit Ford Mustang given away last year. A collector may be willing to pay more for such a car. The difference may be taxable. Again, check with your accountant.

GOOD LUCK,

Carolyn

Dear Contest Queen,

I just read the question about selling a prize and that triggered my question to you. There are lots of contests where there is a trip as the grand prize and variety of prizes as the secondary prizes. I do not want to win a trip. I would prefer the secondary prizes. If I do happen to win a trip, could I give it away or sell it to someone else?

Thanks,

Gay

Nanaimo, BC

Hi Gay,

Read the rules. I have never seen a trip that is transferable. If you win the trip and do not want it, you would likely have to forfeit the prize. They would then draw for another winner. You should ask them for a secondary prize but the decision would be up to the contest management company if they will substitute the prize.

GOOD LUCK,

Carolyn

Hi Carolyn!

I just came across a contest at www.garage.ca and wondered if you had an opinion.

1 Grand Prize: a \$500 Garage gift card to be used at any Garage location within a period of 1 year from its date of issuance. Secondary Prizes will be made available based on the number of jeans sold and will consist of a \$25 Garage gift card valid at any Garage location from October 4 to October 22, 2007.

I am aware that a new law has just recently passed that enforces a “no expiry date” on gift cards. Do you know if this applies in a situation such as the contest above? i.e. as it is a contest, can the contest sponsor indicate specific dates to use the gift cards?

Thanx for your time and keep up the great work! Happy contesting!!

Tricia

Hi Tricia,

Even though there is no expiry date on gift cards, the wording in the rules makes it no different than stating a trip won must be taken by such-and-such a date. They are giving the consumer a full year for the Grand Prize. Even if you won the \$25, two weeks to spend it in is not unreasonable. When I won \$2000 in Roots gift certificates in 2003 they didn't even last 2 weeks! A girl can never own too many purses.

GOOD LUCK,

Carolyn

Hi Carolyn

I have never seen the following addressed and I just want to ask. My question is – what if in the event a contest entrant passes away, what happens to the prize? I am thinking that it would go to the estate of the person. As I have been entering contests for my husband and I don't want to assume. And not ever either that I am inviting or wanting negative chi!

Thanks Carolyn and warmest regards,

Cathy

St. Catherines, ON

Hi Cathy,

I had wondered the same thing myself. I asked Eric Swetsky, the promotional lawyer that spoke at the convention on Saturday evening, our question. He said it was really a question that really should be handled by an estate lawyer. I will do a bit more research and see what I can find out.

GOOD LUCK,

Carolyn

Hi Carolyn,

Hope you won't mind answering a quick question I have about a contest I was entering that appears to have been cancelled. This was a contest CTV was running in conjunction with the TV series Pirate Master. It was kind of fun in that you had to make predictions about the outcome of each episode and you accumulated points based on how accurate your predictions were. There was a grand prize of 10 grand offered for the highest point getter at the end of the series, at least one second prize of 2 grand which was to be determined by a random draw from all of the entrants that reached a certain (I believe it was 1,600) number of points and a random weekly draw for smaller prizes. Unfortunately, the series was abruptly cancelled about half way through. At least it was pulled off net work TV - I believe US residents could still watch on the net. Anyway, as soon as the show was pulled the contest was supposedly put on hold - I forget the exact message but it was something to the effect that the contest was temporarily closed until they figured out what to do. Kept going back over the summer but there was never any new info and now the link doesn't work at all. I wrote to the CTV contest folks but never got a reply. I had been hoping that they would at least have a random draw for the 2 grand prizes but I guess they decided to forget about the whole thing. Can they do that? Just curious as the show and the contest was so heavily promoted and then it just vanished without a trace.

Thanks in advance for your input.

Sharon
Regina SK

Hi Sharon,

Yes, they can do that. Most contests have a clause that says they can do whatever they want...e.g. from a contest running right now:

The Contest Sponsors reserve the right, in their sole discretion to cancel or suspend the Internet portion of this contest should a virus, bug or any other cause beyond the reasonable control of the Contest Sponsors corrupt the security or proper administration of the contest. Any attempt to deliberately damage any website or to undermine the legitimate operation of this promotion is a violation of criminal and civil laws, and should such an attempt be made, the Contest Sponsors reserve the right to seek remedies and damages to the fullest extent permitted by law, including criminal prosecution.

The Contest Sponsors and their agents, representatives and assigns reserve the right to void any entry and/or cancel or modify the contest in whole or in part (without notice to entrants individually) if, in their sole discretion, they determine that for any reason the contest is not capable of running as originally planned due to fraud, technical failures, human, printing or distribution errors, or any causes or occurrences have compromised the administration, safety, fairness or integrity of the contest (subject, if applicable, to the approval of the Régie des alcools, des courses et des jeux du Quebec).

I remember the Pirate Master contest and I think it said they were drawing the grand prize winner randomly from all entries due to the cancellation of the show. I guess neither of us won.

I don't worry about past promotions. I just keep entering and I know I will win what I win.

GOOD LUCK!

Carolyn

Hi,

I really like your newsletter. I was discussing with a few friends online whether SASE's were allowed in Canada and the people I spoke to are telling me that it is considered "paying" to be in a contest. I always thought that a SASE was allowed and that a postage stamp was not considered "financial consideration" in Canada as it is a small amount (.52 cents). At least that was what I read or understood from the rules that were on the competition bureau's website.

I think you may have answered this question previously, but I am unable to located it on your website.

Good luck with the contests,

Miriam

Ottawa ON

Hi Miriam,

I did some searching of my own and this is what I found on the [Competition Bureau's](#) website:

(iii) What will constitute valuable consideration?

What will be regarded as consideration for the purposes of section 206(1)(f) has not been tested with much precision.

It is well accepted that the purchase of a product or service to enter a sweepstakes, even if only the regular price is paid, will be regarded as providing consideration (see e.g., *R. v. Hudson's Bay Co.* (1915), 25 D.L.R. 396 (Alta. S.C.)). Attention is therefore paid to permit entry by some means other than a purchase. The range of such "free entry alternatives" runs from the common single hand-drawn facsimile of a UPC symbol to multiple hand-drawn facsimiles to requiring a 500-word essay on a (generally product-related) topic. Sometimes free entrants are required to send in their requests for free entry paraphernalia (e.g., a randomly selected scratch 'n win card) along with a self-addressed, stamped envelope. Requiring two envelopes and two stamps, that free entry would cost about \$1.00, which looks particularly odd when consumers might have entered more directly by purchasing the product itself for \$0.60, as is sometimes the case.

As we do not have the benefit of the guidance provided in some U.S. state laws as to where the line should be drawn, sweepstakes promoters must decide how much risk they are willing to undertake in loading further cost and effort items into the free entry alternative.

Finally, even if section 206(1)(f) does not apply and even if you have a skill-testing question, another provision that must be considered before you require consideration is section 206(1)(e) of the *Criminal Code*. This prohibits (in rather cumbersome terms) schemes in which contestants pay a sum of money or give valuable security and become entitled to receive a larger sum of money or amount of valuable security by reason of the fact that others have paid money or valuable security under the scheme. There is some case law that applies this provision in a situation that one might not have expected. The issue should therefore be examined closely before requiring consideration in a contest or sweepstakes.

It would seem it is up to the promotional company to decide whether or not to ask for a SASE based on the value of the products or services the sponsor company provides.

Let's see what else I can find out.

GOOD LUCK,

Carolyn

Hi,

Thanks for the quick reply. Did the lawyer happen to provide you any info or where to find additional info on that? Well, from one of my previous posts on Frugal I dug this up:

<http://www.competitionbureau.gc.ca/internet/index.cfm?itemID=1225&lg=e#contests>

Contests

Subparagraph 52.1(3)(b)(i) prohibits contests or games where the delivery of a prize or benefit is, or is represented to be, conditional on the prior payment of any amount by a participant.

(a) Contests in which the prize is a percentage off of the price of a product or is a "free" product if another is purchased (i.e. "buy one get one free") are generally considered to contain a condition of prior payment in order to receive the prize.

(b) The initial cost of entering a contest or game (such as the cost of a postage stamp in order to send in an entry) will not generally be considered by the Bureau to be a condition for the delivery of the prize or benefit.

To me it sounds like they are allowed to ask you to send a SASE. So does this mean that a postage stamp is not considered a form of payment for a contest because it is usually considered a minimal expense? Well, I know for myself anyways I don't usually believe what a lawyer says unless it is in writing or they can refer me to the printed regulations somewhere. Have any of the companies gotten back to you on this yet?

Thanks,

Miriam

Ottawa ON

Hi Miriam,

I am not a lawyer, but it does sound like companies can ask for a SASE. Not one of the requests I sent without an SASE and a note sent anything back to me. All the requests I included a SASE in, did come back. Considering mail-in promotions are getting farther and fewer between in Canada, the price of a stamp seems to be a minimal expense for the opportunity to win. I look at it this way, it's cheaper than a lottery ticket and the odds are better. You have to decide for yourself if you feel it is worth the price of a stamp for the entry form, PIN code, etc.

GOOD LUCK,

Carolyn

Hi Carolyn,

I need help in complaining about the rules for this contest: <http://www.flirtwithfame.ca/rules.asp>.

My son was one of the 15 finalists for the trip to London, England. When they phoned him, they didn't ask the STQ like they were supposed to, all they asked was whether or not he has a passport (which he doesn't). So, they disqualified him right away. He could have received a passport by applying in person within 10 days. Also, nowhere in the rules state when the trip was to be taken. Would you have a general phone number or email address to voice my concern? This contest was put on by MTV and Johnson & Johnson.

Thank You,

Gord

Edmonton, AB

Hi Gord,

I read the rules and they state: *The Grand Prize Winner and his/her Travel Guest must each have proof of valid travel documents.* That means your son would have had to have his passport before entering. I am sorry to tell you they had every legal right to disqualify him. This is why: 1) it is every important to read all the rules and 2) if you are entering travel sweepstakes, everyone has their passport.

My daughter has had her passport since she was 3 months old. When won the trip to London we were already "good to go". I know the cost of the passport is a bit intimidating for some, but I feel the value of the trip/prize far outweighs the cost of the documentation. Since 9/11 and with the implementation of the US/Canada passport requirement, everyone should have a valid passport at all times, especially if you are entering sweepstakes for trips.

GOOD LUCK,

Carolyn

Hi Carolyn,

I won a Samsung S850 digital camera, and it appears to be faulty. Anything I can do about this? I am quite mad. It not only deleted all my Christmas pictures, but it also keeps shutting off on me. Whenever I try to zoom in, or even push the snap button. I would appreciate any help or advice you could give me.

Ivy

Seven Sisters Falls, MB

Hi Ivy,

Sorry to hear you won a lemon. Do you still have all the packaging? If so, box it back up and take it to a camera store, state it was a gift and you want an exchange. Or they may send it in for repair. You can also check the Samsung website to see what their repair procedures are. Just because you won it, doesn't mean it's not under warranty.

GOOD LUCK,

Carolyn