

This AUP is a description of types of activities that are not allowed on our eBoss software systems. We may from time to time amend this policy. Your continued use of the software will be construed as acceptance of the current AUP.

## **1. INTERNET ABUSE**

- 1.1 you may not use our servers to engage in illegal, abusive, or irresponsible behaviour, including:
  - 1.1.1 unauthorised access to or use of data, services, systems or networks, including any attempt to probe, scan or test the vulnerability of the eBoss system or to breach security or authentication measures without express authorisation of the owner of the system.
  - 1.1.2 interference with service to any user, host or network including, without limitation, mail bombing, flooding, deliberate attempts to overload a system and broadcast attacks;
  - 1.1.3 forging of any TCP-IP packet header or any part of the header information in an e-mail or a newsgroup posting; or
  - 1.1.4 any activity or conduct that is likely to result in retaliation against our network.

## **2. SECURITY**

- 2.1 you must take reasonable security precautions.
- 2.2 passwords should consist of at least 8 mixed alpha numeric characters with case variations. You should not permit a common word to be used as a password. You must protect the confidentiality of your password, and you should change your password regularly.

## **3. BULK COMMERCIAL E-MAIL**

- 3.1 you must obtain our advance approval for any bulk commercial e-mail, for which you must be able to demonstrate the following to our reasonable satisfaction:
  - 3.1.1 your intended recipients have given their consent to receive e-mail via some affirmative means, such as double opt-in procedure;
  - 3.1.2 your procedures for soliciting consent include reasonable means to ensure that the person giving consent is the owner of the e-mail address for which the consent is given;

- 3.1.3 you have procedures in place that allow a recipient to easily **unsubscribe** – such as a link in the body of the e-mail, or instructions to reply with the word “Remove” in the subject line and such evocations of consent are actioned within 72 hours;
- 3.1.4 you may not obscure the source of your e-mail in any manner. Your e-mail must include the recipients e-mail address in the body of the messages or in the “TO” line of the e-mail.
- 3.2 these policies apply to messages sent using your eBoss system or network, or to messages sent from any network by you or any person on your behalf that directly or indirectly refer the recipient to a site hosted via eBoss service. Neither may you use third party e-mail services that do not practice similar procedures for all its customers.

#### **4. UNSOLICITED E-MAIL**

- 4.1 you may not send any unsolicited e-mail, whether commercial or non-commercial in nature, to any person who has indicated that they do not wish to receive it.

#### **6. OFFENSIVE CONTENT**

- 6.1 you may not publish, display or transmit via, our software i.e. news pages, any content that we reasonably believe is of an offensive nature;
  - 6.1.1 constitutes child pornography or is otherwise obscene, sexually explicit or morally repugnant;
  - 6.1.2 is excessively violent, incites violence, threatens violence, or contains harassing content or hate speech;
  - 6.1.3 is unfair or deceptive under the consumer protection laws of any jurisdiction, including chain letters and pyramid schemes;
  - 6.1.4 is defamatory or violates a person’s privacy;
  - 6.1.5 creates a risk to a person’s safety or health, creates a risk to public safety or health, compromises national security, or interferes with a investigation by law-enforcement;
  - 6.1.6 improperly exposes trade secrets or other confidential or proprietary information of another person;

- 6.1.7 is intended to assist others in defeating technical copyright protections;
- 6.1.8 clearly infringes another person's trade or service mark, patent, or other property right;
- 6.1.9 promotes illegal drugs, violates export control laws, relates to illegal gambling, or illegal arms trafficking;
- 6.1.10 is discriminatory in any way, including by way of sex, race, or age discrimination
- 6.1.11 is otherwise illegal or solicits conduct that is illegal under laws applicable to you or to us;

## **8. COOPERATION WITH INVESTIGATIONS AND LEGAL PROCEEDINGS**

- 8.1 we may, without notice to you;
  - 8.1.1 report to the appropriate authorities any conduct by you that it believes violates applicable criminal law, and
  - 8.1.2 provide any information we have about you and co operate in response to a formal or informal request from a law enforcement or regulatory agency investing in any such activity, or in response to a formal request in a civil action that on its face meets the requirements for such a request.

## **9. OTHER**

- 9.1 you must have valid and current information on file with your domain name registrar for any domain hosted on our network
- 9.2 you may only use IP addresses assigned to you by our staff

## **10. CONSEQUENCES OF VIOLATION OF AUP**

- 10.1 we may without notice to you, suspend your service or remove any content transmitted, via your eBoss software if we reasonably believe your service is being used in breach of this AUP. You must cooperate with our reasonable investigation of any suspected breach of the AUP.
- 10.2 you are strictly responsible for the use of your eBoss software in breach of this AUP, including use by your customers, and including authorized use that you

could not have prevented. We will charge you our hourly rate of work on any breach of the AUP together with the cost of equipment and material needed to (i) investigate or otherwise respond to any suspected violation of this AUP, (ii) remedy any harm caused to us or any of our customers by the use of your service in violation of this AUP, (iii) respond to complaints, and (iv) have our internet Protocol numbers removed from any “blacklist”.

## **11. DISCLAIMER**

- 11.1 we are under no duty, and by this AUP are not deemed to undertake a duty, to monitor or police our customers’ activities and we disclaim any responsibility for any misuse of our network.