

1 General

- 1.1 This is alpha dot net's Acceptable Use Policy, which forms part of our Terms and Conditions (the definitions in respect of the terms used in this Policy are contained in our Terms and Conditions).
- 1.2 This policy is intended to ensure that the Customer's use of our service is trouble-free and that the Customer has due regard to the law and the rights and needs of other users
- 1.3 In the use of our Services, the Customer shall comply with:
 - 1.3.1 All our directions and requirements in the use of the Services; and
 - 1.3.2 Any requirements or regulations of any government or telecommunication authorities regarding use of our services including the regulations of any providers whose resources we use in providing our services to The Customer.

2 Responsibilities

- 2.1 The Customer is responsible for use of the Customer's account.
- 2.2 If the Customer permits others to use our service, the Customer is responsible for making those users of our service aware of this policy and obtaining their compliance with this policy.
- 2.3 The Customer is responsible for complying with all conditions of use of other networks accessed by The Customer.
- 2.4 If we provide the Customer with access to a network outside our service, the Customer must comply with any acceptable use conditions which apply to that network.
- 2.5 The Customer acknowledge that any material that the Customer makes available online using our services is their own responsibility and that we accept no liability for any such material.

3 Acceptable Uses

- 3.1 The Customer must use our Service and Services in a manner which does not violate any applicable laws or regulations.
- 3.2 The Customer must respect the conventions of the newsgroups, lists and networks that the Customer uses.
- 3.3 The Customer must respect the legal protection afforded by copyright, trade marks, license rights and other laws to materials accessible via our service.
- 3.4 The Customer must respect the privacy of others.
- 3.5 The Customer must use our service in a manner which does not interfere with or disrupt other network users, services or equipment.

- 3.6 The Customer must refrain from acts that waste resources or prevent other users from receiving the full benefit of our services.
- 3.7 The Customer's use of our services should be ethical and in accordance with accepted community standards.

4 Unacceptable Uses

- 4.1 Specific kinds of use are not allowed. They include but are not limited to the following:
- 4.1.1 The Customer must comply with the Law. It is not acceptable to use our service for any purpose which violates local, State, Federal or international laws;
 - 4.1.2 The Customer must not reproduce, distribute, transmit, publish, copy, transfer or commercially exploit any information or material of any kind (including but not limited to information or material accessed through or received from our services) that infringes any copyright, patent, trade mark, design or other intellectual property right or, in our reasonable opinion, is likely to mislead or deceive any person accessing the relevant information or material;
 - 4.1.3 The Customer must not illegally store, use or distribute software;
 - 4.1.4 The Customer must not transmit threatening, obscene or offensive materials;
 - 4.1.5 The Customer must not engage in electronic 'stalking' or other forms of harassment such as using abusive or aggressive language;
 - 4.1.6 The Customer must not misrepresent or defame others;
 - 4.1.7 The Customer must not commit fraud;
 - 4.1.8 The Customer must not gain unauthorised access to any computing, information, or communications devices or resources, including but not limited to any machines accessible via the Internet;
 - 4.1.9 The Customer must not damage, modify or destroy the files, data, passwords, devices or resources of alpha dot net, other users or third parties;
 - 4.1.10 The Customer must not engage in misleading or deceptive on-line marketing practices;
 - 4.1.11 The Customer must not conduct any business or activity or solicit the performance of any activity that is prohibited by law; and
 - 4.1.12 The Customer must not make an unauthorised transmission of confidential information or material protected by trade secrets.
 - 4.1.13 The Customer must not attempt to do any of these things.

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- 4.2 Disruption of the network is prohibited.
- 4.3 The Customer must not distribute messages to inappropriate or unrelated forums, newsgroups or mailing lists.
- 4.4 The Customer must not send unsolicited commercial messages.
- 4.5 The Customer must not send unsolicited bulk commercial email, including the use of other non-consenting mail relay systems.
- 4.6 The Customer must not propagate computer worms, viruses and other types of malicious programs.
- 4.7 The Customer must not use our services to make available online any material that is illegal, including, but not limited to, material that is classified, or would be classified, as RC or X under the National Classification Code set out in Schedule 5 of the Classification (Publications, Films and Computer Games) Act 1995 (SA).
- 4.8 The Customer must not use our services to provide unrestricted access to material online that is unsuitable for minors.
- 4.9 The Customer must not make transmissions of any type or quantity which adversely affect our operation or jeopardise the use of our service, or its performance for other users.
- 4.10 The Customer must not harass or impersonate alpha dot net or other users.
- 4.11 The Customer must not solicit users to become members of other competitive services.
- 4.12 Resale of our services to others is strictly forbidden, except where explicitly allowed by an agreement with us.

5 Monitoring

- 5.1 We may monitor the Customer's account to ensure that this Policy is being followed, but will respect the Customer's privacy
- 5.2 If we monitor the conduct of the Customer's account we will safeguard the Customer's privacy unless to do so would involve us in concealment of a criminal offence or inhibit the enforcement of this policy.
- 5.3 We will make an effort to contact the Customer before taking action if we become concerned that the Customer's use of our service may break the law or that the Customer has not complied with this policy, unless to do so would involve us in concealment of a criminal offence or inhibit the enforcement of this policy.

6 Breach Of Acceptable Use Policy

- 6.1 In the event of a breach of the Acceptable Use Policy we may, at our discretion, terminate the Customer's account and/or notify the authorities
- 6.2 If we believe that the Customer's use of our service may break the law or that the Customer has not complied with this policy we may:

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- 6.2.1 Warn the Customer by email;
 - 6.2.2 Suspend the Customer's access to the service;
 - 6.2.3 Terminate the Customer's account without notice;
 - 6.2.4 Notify and provide relevant information to the authorities, as appears appropriate in the circumstances.
- 6.3 In the event of taking action under this clause we reserve the right to delete any or all of the Customer's information, material, software or other content stored on our system at our sole discretion.
- 6.4 We will re-establish services if resolution is achieved and:
- 6.4.1 If the Customer does not repeat the breach of this policy;
 - 6.4.2 If we do not regard an instance of conduct causing our intervention as dangerous or serious; and
 - 6.4.3 If the cause of our intervention is addressed and resolved.