CloudSelect Data Services Acceptable Use Policy – April 2012

1. General

Defined terms in this policy have the meaning given to them in Daisy's terms and conditions for the provision of CloudSelect data services which are available at daisycomms.co.uk or at such other URL as is notified to the Customer by the Company from time to time (the "**Conditions**").

This policy ("**AUP**") describes the prohibited uses of Services provided by the Company. It also describes the prohibited uses of the communications network ("**Network**") over which Daisy provides the Services.

The Company may from time to time amend this AUP in accordance with the Conditions.

Without prejudice to any other right or remedy of the Company in the Conditions, if this AUP is breached, the Company may suspend or terminate use of the Services in accordance with the Conditions.

The Customer is responsible for any breaches of this AUP by anyone using the Services and access to the Network provided to the Customer (whether authorised by the Customer or not).

Please note that this AUP is a non-exhaustive of list of all the prohibited uses of the Services and the Network.

2. Offensive, Harmful and Illegal Content

The Services and the Network may only be used for lawful purposes. The transmission, access and/or distribution of any material through the Network and/or by means of the Services, or the use of any part of it, in violation of any applicable law or regulation and/or which is either harmful or offensive is strictly prohibited. For these purposes "transmission" shall mean web content, e-mail, bulletin board postings, web chat and any other type of posting, display or transmission which relies on the internet. Such prohibited transmission would include material which:

- infringes intellectual property rights or proprietary rights of others,
- is an invasion of privacy;
- is discriminatory in any way (including by way of sex, race, age or religion)
- involves theft, fraud, drug trafficking, money laundering or terrorism;
- creates a risk to a person's and/or the public's safety or health;,
- compromises national security or interferes with any investigation by the police or any other law enforcement bodies;
- is defamatory, offensive or abusive or of an obscene or menacing character which or which may cause annoyance, inconvenience or needless anxiety;

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- promotes or facilitates child pornography or which is otherwise obscene, sexually explicit or morally repugnant; or
- damages, interferes with, intercepts or expropriates any system, program or data, including viruses, Trojan horses, worms, or time bombs.

3. Network and System Security

The Network and/or Services shall not be used to violate, or to attempt to violate system or network security. Examples of system or network violations include, but are not limited to:

- unauthorised monitoring or access to or use of data, networks or systems, including any attempt to probe, scan or test the vulnerability of a network and or system or to breach security or authentication measures without proper authorisation;
- interference with, or disrupting or disabling service to any user, host or network via means including, but not limited to, "overloading", "flooding", "mail-bombing", “denial of service attacks" or "crashing";
- sending, storage, or distribution of viruses, worms, Trojans, or other malware component harmful to a network or system; and
- forging any TCP/IP packet header or any part of an email header or any part of a message describing its route of origin;
- using manual or electronic means to avoid any use limitations placed on a system, such as access and storage restrictions; or
- attempts to circumvent or alter any method of measuring or billing for the Services.

4. Email

The sending of unsolicited mass email or other messages using the Network and Services is explicitly prohibited. Emails may be considered unsolicited unless all recipients have explicitly opted in to receive such emails from the sender or are expecting to receive email from the sender.

All emails sent using the Service must include a valid "Reply to:" address under the control of the sender. Email message headers must not be missing, malformed or forged. Recipients must be able to request not to receive further email correspondence from the sender and in such instances the sender should honour the request in a timely manner and should no longer send email communications to the recipient.

Posting the same or similar message to more than one newsgroup, known as “cross-posting”, is prohibited.

There must be no promotion of content hosted on the Network via the use of unsolicited electronic mail messages.

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The Customer undertakes to conform to any published Internet protocols and standards. In the event that communications by the Customer do not conform to these standards, or if the Customer makes profligate use of the Network to the detriment of the Company or any of its other customers, the Company reserves the right to restrict passage of the Customer's communications until the Customer complies with such standards or protocols or provides undertakings acceptable to the Company in respect of the Customer's future use of communications.

5. Co-operation with Investigations and Legal Proceedings

The Company may without notice of any kind:

- report to the appropriate authorities any conduct that it believe violates applicable law or regulation; and
- provide any information it has in response to a formal or informal request from a law enforcement or regulatory agency investigating 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.

6. No Monitoring

Whilst the Company may choose to, it is under no obligation to monitor compliance with this AUP or misuse of the Network and/or Services.

Violations of this AUP should be reported immediately to the Company by email to abuse@daisycomms.co.uk