

AMADWALA TRADING 5 CC AND WISTEC DATA & TELECOMS (PTY) LTD
T/A WISTEC

ACCEPTABLE USE POLICY (AUP)

INTRODUCTION

WISTEC is committed to complying with legislation and ensuring all its Customers have the ability to use its network and the Internet without interference or harassment from other users. WISTEC's Acceptable Use Policy ("AUP") is designed to help achieve these goals. By using any of WISTEC's services, Customers agree to comply with this AUP and to remain responsible for its users, where applicable. WISTEC reserves the right to change or modify the terms of the AUP at any time, by posting an updated version on its Website at <http://www.WISTEC.co.za/legalpolicies/>. Customer's use of WISTEC's services after changes to the AUP are posted shall constitute acceptance of any changed or additional terms. Scope of the AUP The AUP applies to all WISTEC products and services but is in particular applicable to IP Services.

PROHIBITED ACTIVITIES

General Prohibitions: WISTEC prohibits use of the IP Services in any way that is: i) unlawful, incitement to commit criminal acts, harmful to or interferes with use of WISTEC's network or systems, or the network of any other provider; ii) interferes with the use or enjoyment of services received by others; iii) infringes Intellectual Property Rights; iv) results in the publication of threatening or offensive material which is harmful, obscene, discriminatory, defamatory, constitutes hate speech; or v) constitutes abuse, a security risk or a violation of privacy.

Failure to adhere to the rules, guidelines or agreements applicable to search engines, subscription Web services, chat areas, bulletin boards, Web pages, applications, or other services that are accessed via a link from an WISTEC-branded website or from a website that contains WISTEC-branded content is a violation of this AUP.

Unlawful Activities:

IP Services shall not be used in connection with any criminal, civil or administrative violation of any applicable local, provincial, national or international law, treaty, court orders, ordinance, regulation or administrative rules.

Violation of Intellectual Property Rights:

IP Service(s) shall not be used to publish, submit/receive upload/download, post, use, copy or otherwise reproduce, transmit, re-transmit, distribute or store any content/material or to engage in any activity that infringes, misappropriates or otherwise violates the Intellectual Property Rights or privacy or publicity rights of WISTEC or any individual, group or entity, including but not limited to any rights protected by any copyright, patent, trademark laws, trade secret, trade dress, right of privacy, right of publicity, moral rights or other Intellectual Property Right now known or later recognized by statute, judicial decision or regulation.

Threatening Material or Content:

IP Services shall not be used to host, post, transmit, or re-transmit any content or material (or to create a domain name or operate from a domain name), that harasses, or threatens the health or safety of others. In addition, for those IP Services that utilize WISTEC provided web or content hosting, WISTEC reserves the right to decline to provide such services if the content is determined by WISTEC to be obscene, indecent, hateful, malicious, racist, defamatory, fraudulent, libellous, treasonous, excessively violent or promoting the use of violence or otherwise harmful to others.

Inappropriate Interaction with Minors:

IP Services should not be used for the purpose of committing an offence against a child or in way that would constitute or promote unlawful interaction with children.

Child Pornography:

IP Services shall not be used to publish, submit/receive, upload/download, post, use, copy or otherwise produce, transmit, distribute or store child pornography. Suspected violations of this prohibition may be reported to WISTEC at the following e-mail address: abuse@wistec.co.za. WISTEC will report any discovered violation of this prohibition to the South African Police Services and take steps to remove child pornography (or otherwise block access to the content determined to contain child pornography) from its servers.

Spam/E-mail Abuse:

Spam/E-mail abuse is prohibited using IP Services. Spam/E-mail abuse shall include, but are not limited to, the following activities:

- Sending multiple unsolicited electronic mail messages or "mail-bombing" to one or more recipient;
- Sending unsolicited commercial e-mail, or unsolicited electronic messages directed primarily at the advertising or promotion of products or services;
- Sending unsolicited electronic messages with petitions for signatures or requests for charitable donations, or sending any chain mail related materials;
- Sending bulk electronic messages without identifying, within the message, a reasonable means of opting out from receiving additional messages from the sender;
- Sending electronic messages, files or other transmissions that exceed contracted for capacity or that create the potential for disruption of the WISTEC network or of the networks with which WISTEC interconnects, by virtue of quantity, size or otherwise;
- Using another site's mail server to relay mail without the express permission of that site;
- Using another computer, without authorization, to send multiple e-mail messages or to retransmit e-mail messages for the purpose of misleading recipients as to the origin or to conduct any of the activities prohibited by this AUP;
- Using IP addresses that the Customer does not have a right to use;
- Collecting the responses from unsolicited electronic messages;
- Maintaining a site that is advertised via unsolicited electronic messages, regardless of the origin of the unsolicited electronic messages;
- Sending messages that are harassing or malicious, or otherwise could reasonably be predicted to interfere with another party's quiet enjoyment of the IP Services or the Internet (e.g. through language, frequency, size or otherwise);
- Using distribution lists containing addresses that include those who have opted out;
- Sending electronic messages that do not accurately identify the sender, the sender's return address, the e-mail address of origin, or other information contained in the subject line or header;
- Falsifying packet header, sender, or user information whether in whole or in part to mask the identity of the sender, originator or point of origin;
- Using redirect links in unsolicited commercial e-mail to advertise a website or service;
- Posting a message to more than ten (10) online forums or newsgroups, that could reasonably be expected to generate complaints;
- Intercepting redirecting or otherwise interfering or attempting to interfere with e-mail intended for third parties;
- Knowingly deleting any author attributions, legal notices or proprietary designations or labels in a file that the user mails or sends;
- Using distributing, advertising, transmitting, or otherwise making available any software program, product, or service that is designed to violate this AUP or the acceptable use policy of any other Internet Service Provider, including, but not limited to, the facilitation of the means to spam.