



Acceptable Use Policy (AUP)

1. Introduction

This Acceptable Use Policy forms part of the General Terms and Conditions applicable to all MDNX Customers. This Acceptable Use Policy applies to all services or facilities supplied by MDNX. The document describes what MDNX and associated companies regard as Unacceptable Use.

2. What constitutes Unacceptable Use?

Unacceptable Use is an abuse of Internet facilities and services and not necessarily abuse on the Internet.

Any of the following qualify as Unacceptable use:

- Interfering with the Internet use of an individual or group
- An action intended to violate the privacy or infringe the intellectual property rights of others
- Activities which cause any individual annoyance, inconvenience or needless anxiety
- Any activity which contravenes the acceptable use policies of any connected networks, including the internet.

The following are examples of Unacceptable Use:

Chain Letters and Pyramid-selling Schemes

The most common example of this is "Make Money Fast"

Unsolicited Commercial Email

Similar to the above, but not attempting to sell anything

Open Relay

You must not run an "Open Relay". This is a machine which accepts mail from unknown or unauthorised senders and forwards it to a destination outside of your network

Mail Bombing

Mail bombing is the sending of multiple emails, or one large email, with the intent of annoying a fellow Internet user or affecting their use of the Internet

Mailing List Subscriptions

You must not subscribe anyone to a mail list or similar service without their permission

Forged Headers and/or Addresses

Forging headers or messages means sending data (including email) such that its origin appears to be another user or machine, or a non-existent machine. It is also forgery to arrange for any replies to mail to be sent to some other user or machine.

Denial of Service

Denial of Service is any activity designed to prevent a specific host or user on the Internet making full and effective use of their facilities. This includes, but is not limited to: mail bombing, opening and excessive number of connections to the same host,

intentionally sending data designed to damage the receivers systems when interpreted. The use of port *scanning* software even for non malicious usage is prohibited.

Torrent and file sharing

MDNX strictly prohibits all use of torrent scripts, tracking and linking to illegal and/or copyrighted material we also reserve the right to restrict access to all and any torrents if the use of this download mechanism is having an adverse affect on Network performance.

Illegal Content

You must not use the service provided by MDNX to send or receive across the Internet, or use a publishing facility to publish any material which violates any law, treaty, regulation or lawful order. This



includes but is not limited to material that is prohibited under the various acts of parliament dealing with material sent over a public telecommunications network.

Objectionable Content

You must not use the service provided by MDNX to publish, send or receive any material which MDNX concludes, in our sole discretion, is objectionable and with which MDNX does not want to be associated, in order to protect MDNX reputation and brand image, or to protect MDNX employees and affiliates. Objectionable content includes, but is not limited to, any material which:

- Is obscene, abusive, menacing, offensive, racist or defamatory
- Contains fraudulent, deceptive, threatening, intimidating or harassing statements
- Violates the privacy rights of any individual

Indecent Content

Is that which depicts sexual or excretory activities in a patently offensive manner as measured by contemporary community standards

Contents of Websites or Web Pages

Your website or personal web page (s) content must not include:

- Materials which depict or describe scantily-clad and lewdly depicted male and/or female forms or body parts, and which lack serious literary, artistic, political or scientific value
- Materials which suggest or depict obscene, indecent, vulgar, lewd or erotic behaviour, and which lack serious literary, artistic, political or scientific value
- Materials which hold MDNX or MDNX partners, affiliates, employees or shareholders up to public scorn or ridicule
- Materials which encourage the commission of a crime, or which tend to incite violence, or which tend to degrade any person or group based on sex, nationality, religion, colour, age, marital status, sexual orientation, disability or political affiliation

Breach of Intellectual Property Rights

You must not transmit or publish any material which infringes the intellectual property rights of any third party (for example, copyright or trade mark rights) unless you have permission to do so from the owner of such intellectual property

Commercial articles on Usenet

The vast majority of newsgroups are on a non-commercial nature, and you should not post commercial articles to these groups

Binary Postings to non-Binary Usenet Groups

Outside of the "alt.binaries_" and "alt.pictures_" newsgroup hierarchies, the posting of encoded binary data is generally prohibited

Excessive Cross-posting on Usenet

Simply put, this form of unacceptable behaviour occurs when the same article is cross-posted to a large number of unrelated newsgroups

Excessive Multi-posting on Usenet

This occurs when a substantively similar (perhaps differing only in subject header) article is posted repeatedly

Post Cancellation

Customers are prohibited from cancelling or superseding posts other than their own, with the exception of official newsgroup moderators performing their duties

Publishing requirements

You must ensure that any Publishing Facility that you utilise through MDNX provides a clear warning before allowing access to any potentially offensive material

Causing Unacceptable Use

You may not advertise your information or data residing on any Publishing Facility or cause another person to advertise it, by techniques that would be classified as abuse if they were carried out from an MDNX account. This includes, but is not limited to, bulk emailing and excessive news posting



Unauthorised Access (Hacking)

You must not attempt to gain unauthorised access to any host, network, data or account

3. Fair Usage Policy

The Internet and Broadband networks are monitored to ensure that the available network bandwidth is shared fairly between all subscribers. Where excessive and prolonged use of the service by an individual subscriber is detected, constraints on that subscriber allocated bandwidth may be applied to alleviate congestion on the network for other users of the service

4. Right to suspend, restrict or terminate your services

MDNX will not routinely monitor the contents of the Customer's websites or pages, however MDNX will investigate further if it determines, at its sole discretion that the Customer has breached the provisions of this AUP and MDNX will take action as it, in its sole discretion, deems appropriate. In case of serious breach MDNX actions may include, without limitation, one or more of the following:

- A formal or informal warning
- The removal of material which is the subject of the breach from any website or page, or the removal of any web pages hosted on MDNX servers.
- Suspension of your account (with or without notice)
- Restriction of your access to the Services; or
- Termination of your account

Notwithstanding our right to restrict, suspend or terminate the services, if you breach this AUP and/or our Terms and Conditions you may receive a formal warning from us specifying the unacceptable conduct and notifying you that repeated breaches may result in the Services (or any part of the Services) being temporarily or permanently withdrawn from you.

If, your conduct continues to breach this AUP after you have received a formal warning from us, then we will withdraw the Services (or part of the Services) from you until such time that we are satisfied that you have implemented appropriate steps to ensure that your use of our systems , Services or equipment will comply with this AUP.

If such a suspension is imposed, then this may be lifted at our discretion, upon receipt of a formal written undertaking from you not to commit any future relevant abuse. However, all cases will be considered individually (in our sole discretion) upon their merits.

5. Complaints and Enforcement

Complaints regarding the conduct of a User on our network will be accepted by our standard abuse reporting mechanisms. We must be able to verify each instance of abuse, and so each complaint must include the full headers and/or complete body of the offending message or other forms of quantitative, supporting evidence.

6. MDNX are not responsible for content

We are not responsible for the content of any Usenet posting, whether or not the posting is made by a user. We are not responsible for the content of materials and information published by others (including users) that are accessible via the Services, and we do not accept liability or responsibility for any such publication.