



## **Acceptable Use Policy**

### **1 Introduction**

Mode ICT Solutions Ltd has created this Acceptable Use Policy (AUP) for VoIP customers to protect our resources, and the resources of our customers in order to provide high availability services and to ensure that our system complies with all relevant UK laws. This AUP must be read in conjunction with our Terms and Conditions.

It is the responsibility of all customers using Our VoIP network and services to ensure that they comply with the latest edition of the AUP at any given time.

This AUP may be revised, without notice, at any time, at Our sole discretion. Completion of the relevant application form, or connection to the service for the first time, is deemed to be an agreement to our Terms and Conditions and this AUP.

In the event of a breach of this policy, We reserve the right to terminate all or part of any service with immediate effect, without recompense, and delete any files held on our servers.

If you have any questions about any of our policies, please contact us.

Email: [accounts@modeict.co.uk](mailto:accounts@modeict.co.uk)

Old Business Centre, 43-45 Church Street, Darlaston, West Midlands, WS10 8DU

### **2 Compliance with UK Law**

Customers may not use our services to engage in activities, or store, transfer or receive material of an indecent, offensive or otherwise illegal nature. Any such activities may result in prosecution by the UK authorities under the relevant Criminal Acts including but not limited to the Computer Misuse Act 1990, the Protection of Children Act 1978, the Criminal Justice Act 1988 and the Prevention of Harassment Act 1997.

Under the Electronic Commerce (EC Directive) Regulations 2002, Mode ICT Solutions Ltd is in general not liable to any criminal or pecuniary penalty for any unlawful acts carried out using our service unless we have actual knowledge of those unlawful acts. Accordingly, if we become aware of credible evidence that a customer has carried out any unlawful acts we will take preventative measures to bring those acts to an end.

### **3 Compliance with foreign law**

The Internet is global in reach. Consequently it is possible for anyone using the internet to break the laws of foreign countries. Customers are therefore advised to take all reasonable steps to avoid breaching relevant foreign laws.

### **4 Warranties and Disclaimers**

Our service warranties and the extent of our liability are explained fully in our Terms and Conditions.

By connecting to Our VoIP network, Customers agree to hold Mode ICT Solutions Ltd harmless in the event of any legal claim regarding Our services.

### **5 Irresponsible usage**

You must refrain from transferring any illegal material or engage in unlawful activities via Your use of the Services.

You must refrain from sending menacing, offensive, defamatory, obscene, indecent or abusive messages or telephone calls whilst using the Services.

You must not use or permit the usage of the Services in a manner that is inconsistent with any and all applicable laws and regulations.

You must not make available or upload Data via Your use of the Services that contain a virus, worm, trojan or other malicious Data or download any disabling or harmful devices.

You must not use the Services to send bulk unsolicited commercial emails, SMS text or telephone calls.

You warrant that Your use of the Services will not infringe any third party intellectual property or other rights.

You must not embark on any course of action, whether by use of Your website, telephone or any other means, which may cause a disproportionate level of activity (for example, causing mail bombs, denial of service attacks or encouraging large numbers of inbound phone calls) without providing Us at least seven day's prior notice in writing. If You give notice or We otherwise become aware of such disproportionate use We may:

move Your service to a dedicated service and charge Our then current rate as detailed in our Terms and Conditions; or

terminate some or all of the Services forthwith.

## **6 Security and privacy**

Login names and passwords must be kept secret and not be communicated to any third party. We must be notified immediately if they are compromised. If a customer forgets or loses their password, they will need to contact support [support@modeict.co.uk](mailto:support@modeict.co.uk) to have it changed.

Customers are responsible for all traffic that is sent from their phone systems, handsets or softphones.

If We find malicious traffic emanating from a customer's system, We have an obligation to our other customers to take urgent measures to block that traffic. In many cases, this can be achieved by selective port blocking, but in other cases, this will involve disconnecting and suspending the account until the issue has been resolved. We understand that in many cases a customer may not be responsible for or aware of the problem, and therefore We will work with the customer to resolve the issue as efficiently as possible to restore normal service.

## **7 Attempted security breaches**

Any attempt to breach the security of any machine is forbidden. Attempting to do so will result in immediate account termination and possible further legal action. Users may not run any program that monitors network packet data or any program that compromises the privacy of network traffic.

It should be noted that attempting to breach security may lead to prosecution under the Computer Misuse Act 1990 or any other relevant criminal legislation.

Attempts to circumvent copy protection technology and encryption are also likely to be illegal under the Copyright Designs and Patents Act 1988 (as amended).

## **8 Non-Specific**

Customers may not mount an attack, by whatever means, against our system, or any other systems. We reserve the right to suspend accounts or access to the network during investigation or suspected or potential abuse of this policy.

Any customers who engage in abuse of its network / and or the internet will be notified that their behaviour is unacceptable and may have their accounts suspended or terminated if such abuse continues.