



**Bytes Systems Integration
a Division of Altron TMT (Pty) Ltd
(Reg. No.: 1984/003805/07)**

ACCEPTABLE USAGE POLICY

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1 ACCEPTABLE ADSL BANDWIDTH USAGE POLICY

- 1.1** Bytes reserves the right, to take necessary steps, to prevent improper or excessive usage. This action, includes, but is not limited to:
 - 1.1.1** limiting throughput;
 - 1.1.2** preventing or limiting service through specific ports or communication protocols; and/or a
 - 1.1.3** complete termination of service to customers with improper or excessive usage.
- 1.2** This policy applies to and will be enforced for intended and unintended prohibited usage (e.g., viruses, worms, generating of spam, malicious code or otherwise unknown causes).
- 1.3** Online activity will be subject to the available bandwidth, data storage and other limitations of the ADSL access service.

2 USAGE GUIDELINES AND ACCEPTABLE USE

- 2.1** To help ensure that all customers have fair and equal use of the service and to protect the integrity of the network, Bytes reserves the right, and will take necessary steps, to prevent improper or excessive usage thereof
- 2.2** The action that Bytes may take includes, but is not limited to:
 - 2.2.1** limiting throughput;
 - 2.2.2** preventing or limiting service through specific ports or communication protocols; and/or
 - 2.2.3** complete termination of service to customers who grossly abuse the network through improper or excessive usage.
- 2.3** This policy applies to and will be enforced for intended and unintended (e.g., viruses, worms, malicious code, or otherwise unknown causes) prohibited usage.
- 2.4** Online activity will be subject to the available bandwidth, data storage and other limitations of the ADSL access service, which ATC may, from time to time, revise at its own discretion and without prior notice to the customer.

3 EXAMPLES OF USE, WHICH MAY RESULT IN EXCESSIVE DATA TRANSFER, INCLUDE, BUT ARE NOT LIMITED TO:

3.1 Downloading large files or large quantities of files

- 3.1.1** Downloading files such as movies, MP3s, games and software using software such as Napster, Kazaa, E-donkey etc.
- 3.1.2** How to minimise this type of usage:

Refrain from using automated download programs. You may not install automated search and retrieve programs or similar automated and manual routines, which generate excessive amounts of network traffic.

3.2 On-Line Gaming

- 3.2.1** On-line gaming can average data transfer of between 10 - 60 Mb per hour.

3.2.2 How to minimise this type of usage:

Limit the usage of data transfer when playing games on line. Alternatively use local gaming sites

3.3 Mail/News Groups/Chat

3.3.1 e-Mail, Newsgroups and Chat clients are used to communicate online, however when files with suffix of "avi", "jpeg", "mpeg", "gif", etc. are sent to customers they can contain very large amounts of data.

3.3.2 How to minimise this type of usage:

Be careful when subscribing to sites, which automatically send information with large attachments Be aware of "background download" programs.

3.4 Fraud

3.4.1 Customers who do not protect their equipment by using a firewall or proxy server create a possibility for remote access to the PC, which may, by using the use of various programs, determine their username and passwords or the PC can be used to transfer data via the owner's account.

3.4.2 How to minimise this type of usage:

Secure your PC by setting up a firewall or proxy server.

3.5 Browser

3.5.1 Use Automated copying of website content can result in high usage levels.

3.5.2 How to minimise this type of usage:

Manually select the content that needs to be copied.

4 NO PROHIBITED USAGE OF THE NETWORK

4.1 Customers may not engage in any activity that compromises or threatens Bytes' ability to provide the ADSL access service in a reasonable and efficient manner to all other customers.

4.2 Examples of prohibited use include, but are not limited to, running servers (that put excessive traffic on the network) and hosting multi-user interactive forums, such as chat rooms. A business hosting its own mail server, VPN server, FTP server or similar which is for business use would not be considered in breach of this AUP.

4.3 The ADSL access service may be used only for lawful purposes. Transmission, distribution or storage of any material in violation of any applicable law or regulation is prohibited. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorisation, and material that is obscene, defamatory, constitutes an illegal threat, or violates export control laws.

4.4 Violations of system or network security are prohibited, and may result in criminal and civil liability.

4.5 Bytes will investigate incidents involving such violations and may involve, or will cooperate with, law enforcement agencies if a criminal violation is suspected.

4.6 Examples of system or network security violations include, without limitation, the following:

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- 4.6.1** Unauthorised access to or use of data, systems or networks, including any attempt to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without express authorisation of the owner of the system or network.
- 4.6.2** Unauthorised monitoring of data or traffic on any network or system without express authorisation of the owner of the system or network.
- 4.6.3** Interference with service to any user, host or network including, without limitation, mail bombing, flooding, deliberate attempts to overload a system and broadcast attacks.
- 4.6.4** Forging of any TCP-IP packet header or any part of the header information in an e-mail or a newsgroup posting.
- 4.6.5** Knowingly distributing computer viruses or other malicious computer programs.
- 4.6.6** The infringement of any third party intellectual property rights or the breach of any laws or infringement of any third party rights, including without limitation, copyright.

5 DOWNLOAD LIMITATIONS AND TECHNICAL MEASURES TO PREVENT ABUSE OF THE ADSL ACCESS SERVICE

- 5.1** Bytes strictly reserves all of its right to implement appropriate technical mechanisms in order to prevent usage patterns in violation of this AUP.
- 5.2** Bytes further reserves the right to take such action as may be necessary to protect the integrity of the system, including, but not being limited to, system monitoring, as well as protocol management and shutting down of ports affected by viruses, worms or other malicious code.

6 LEGAL RIGHTS

- 6.1** Nothing contained in this policy shall be construed to limit Bytes' rights or remedies in any way with respect to any of the a foregoing activities, and Bytes reserves the right to take any action that it may deem appropriate with respect to such activities, including without limitation:
 - 6.1.1** investigating suspected violations of this AUP,
 - 6.1.2** taking action to recover costs and expenses incurred in identifying offenders;
 - 6.1.3** terminating users' access to and use of the ADSL access service;
 - 6.1.4** levying cancellation charges to cover Bytes' costs in the event of termination of access to the ADSL access service.
 - 6.1.5** In addition, Bytes reserves all available rights and remedies with respect to such activities at law or in equity.
- 6.2** This AUP may be clarified or modified periodically and Bytes reserves the right to modify this policy at any time.
- 6.3** This policy forms part of the customer's agreement with Bytes regarding the ADSL access service.