



0845 Acceptable Use Policy

Please note that this Acceptable Use Policy relates to 0845 dialup access only and NOT ADSL access.

1. Introduction

Phoenix's aim is to provide Internet services to our customers that allow our customers to enjoy the freedom of the Internet. Part of that freedom comes from the breadth and flexibility of the Internet; another part comes from being able to use it as free from interference as possible. Both you as a customer and Phoenix as your service provider have legal and other responsibilities that must be adhered to in pursuit of this freedom (and, sometimes, in order to comply with national and international laws).

This Acceptable Use Policy (AUP) sets out to define two things:

- a. the standards of conduct required of Phoenix users when using any of the Phoenix services; and
- b. technical and capacity usage guidelines set by Phoenix to ensure that all users have access to a quality service.

Please check this AUP regularly for updates.

2. Unlawful Activities

In using any of the Phoenix services, you must abide by the law applicable to your part of the UK and not commit or contribute to any offence being carried out. This includes not:

- a. publishing, distributing, circulating or otherwise propagating any material which may be deemed illegal, abusive, offensive, anti-social, racist, distressing, harmful or threatening
- b. infringing the rights of others including privacy and copyright
- c. intentionally causing a reduction in performance or functionality of any computer or network facilities

3. Email

- a. You must not:
 - i. send e-work facilities
 - ii. send unsolicited bulk e-mail or 'spam'
 - iii. subscribe anyone else to a mailing list without their authorization
 - iv. attempt to conceal your identity or impersonate any individual or organisation
- b. Your e-mail account not be in excess of 10MB. E-mails may be deleted should your e-mail account exceed 10MB



4. Webspaces

- a. Your webspaces must not contain:
 - i. content that is illegal, defamatory or, abusive or harmful to others
 - ii. content that infringes third party intellectual property rights
 - iii. software to distribute spam, viruses or programmes that cause harm to computers and networks
- b. Your webspaces must not be capable of permitting you to:
 - i. impersonate or
 - ii. pass yourself off as connected with or
 - iii. utilize in any domain name a trade mark belonging to another individual or organisation
- c. You may not run, or link to a website where access is subject to a premium rate telephone charge
- d. If your website generates abnormally high traffic, Phoenix may investigate and where any other terms of the AUP appears to be being breached, take appropriate action
- e. You are responsible for retaining copies of your own data – Phoenix will not be responsible for the loss of any files or data
- f. Phoenix may require that content and/or links be removed from your site should be considered them to be in breach of this AUP or the Terms and Conditions
- g. You must maintain an index page called “index.htm” or “index.html” in the root directory of your webspaces
- h. If your space does not include an index file or you do not use it within a three month period, we may deactivate your account and remove any files
- i. If you exceed your 5MB of space, you will be asked to remove excess files. Failure to do this will result in your site being removed

5. Chat, Newsgroups and Forums

When using chat, newsgroups and forums (including PhoenixNet ones):

- a. You must not:
 - i. send messages that cause distress, anxiety or harm to another person or constitute a criminal offence
 - ii. send messages that contain abusive, offensive or illegal content
 - iii. send messages that are inappropriate to the room topic
 - iv. send mass messages or mass invites
 - v. post messages that infringe third party intellectual property rights or otherwise violate or infringe the rights of any third party
 - vi. attempt to conceal your identity or impersonate any individual or organisation
 - vii. connect to Phoenix chat server more than three times simultaneously using one connection
 - viii. make an identical posting to more than two forums (multi-posting)
- b. You must not engage in unsolicited advertising in the chat rooms
- c. General Chat Room Guidelines:
 - i. do not type personal information into public channels
 - ii. do not give your password to anyone
- d. General Newsgroup and Forum Guidelines:
 - i. do not hijack a thread site or issue
 - ii. do not post unsolicited bulk postings or ‘spam’
 - iii. do not continue a thread which has previously been deleted by Phoenix Forum Moderators or Phoenix staff, unless it is with prior permission from the Community Team



6. Use of Services

- a. All Services:
Do not disclose your username or password to anyone. You are responsible for the security of these
- b. For Pay As You Go Packages:
Before using the Phoenix service, you must obtain permission from the person who pays the phone bill

7. Security

- a. You are responsible for the set-up and security of your computer and any servers that may run on your PC
- b. Phoenix suggests that you protect your PC with anti-virus software and a firewall.

8. General Abuse

- a. You must not run port scanning software on the Phoenix service
- b. You must not attempt to gain unauthorised access to any computer system
- c. You must not undertake any activity that has an adverse effect on the Phoenix service or its users

9. AUP Enforcement

Phoenix reserves the right to suspend or terminate an account that has not adhered to the points outlined above. In some cases, accounts may be suspended or terminated without prior warning.

E-mails that cause distress, anxiety or harm to another person or that constitute a criminal offence:

- i. send/knowingly receive e-mails that contain abusive, offensive or illegal content
- ii. send e-mails that deliberately affect the performance or functionality of any computer or net