

# Acceptable of Use Policy

## 1. Introduction

- 1.1 This acceptable use policy (the "**Policy**") sets out the rules governing:
  - (a) the use of Daymap Services and Daymap Connect mobile app (the "**Services**"); and
  - (b) the transmission, storage and processing of content by you, or by any person on your behalf, using the Services ("**Content**").
- 1.2 References in this Policy to "**you**" are to any individual user of the Services (and "**your**" should be construed accordingly); and references in this Policy to "**us**" are to Loop Software Pty Ltd (and "**we**" and "**our**" should be construed accordingly).
- 1.3 By using the Services, you agree to the rules set out in this Policy.
- 1.4 We will ask for your express agreement to the terms of this Policy before you upload or submit any Content or otherwise use the Services.

## 2. General usage rules

- 2.1 You must not use the Services in any way that causes, or may cause, damage to the Services or impairment of the availability or accessibility of the Services.
- 2.2 You must not use the Services:
  - (a) in any way that is unlawful, illegal, fraudulent or harmful; or
  - (b) in connection with any unlawful, illegal, fraudulent or harmful purpose or activity.
- 2.3 You must ensure that all Content complies with the provisions of this Policy.

## 3. Unlawful Content

- 3.1 Content must not be illegal or unlawful, must not infringe any person's legal rights, and must not be capable of giving rise to legal action against any person (in each case in any jurisdiction and under any applicable law).
- 3.2 Content, and the use of Content by us in any manner licensed or otherwise authorised by you, must not:
  - (a) be libelous or maliciously false;
  - (b) be obscene or indecent;
  - (c) infringe any copyright, moral right, database right, trade mark right, design right, right in passing off, or other intellectual property right;
  - (d) infringe any right of confidence, right of privacy or right under data protection legislation;
  - (e) constitute an incitement to commit a crime, instructions for the commission of a crime or the promotion of criminal activity;
  - (f) constitute a breach of racial or religious hatred or discrimination legislation;
  - (g) constitute a breach of any contractual obligation owed to any person.

## 4. Factual accuracy

- 4.1 Content must not be untrue, false, inaccurate or misleading.
- 4.2 Statements of fact contained in Content and relating to persons (legal or natural) must be true; and statements of opinion contained in Content and relating to persons (legal or natural) must be reasonable, be honestly held and indicate the basis of the opinion.

## 5. Etiquette

- 5.1 You must not use the Services to send any hostile communication or any communication intended to insult, including such communications directed at a particular person or group of people.
- 5.2 You must not use the Services for the purpose of deliberately upsetting or offending others.
- 5.3 You must at all times be courteous and polite to other users of the Services.

## 6. Marketing and spam

- 6.1 Content must not constitute or contain spam, and you must not use the Services to store or transmit spam - which for these purposes shall include all unlawful marketing communications and unsolicited commercial communications.
- 6.2 You must not send any spam or other marketing communications to any person using any email address or other contact details made available through the Services or that you find using the Services.

## 7. Monitoring

- 7.1 You acknowledge that we do not actively monitor the Content or the use of the Services.

## 8. Harmful software

- 8.1 The Content must not contain or consist of, and you must not promote or distribute by means of the Services, any viruses, worms, spyware, adware or other harmful or malicious software, programs, routines, applications or technologies.
- 8.2 The Content must not contain or consist of, and you must not promote or distribute by means of the Services, any software, programs, routines, applications or technologies that will or may have a material negative effect upon the performance of a computer or introduce material security risks to a computer.