

## **CODE OF CONDUCT**

This Code of Conduct and the related documents were formally adopted by KnysnaON during its Annual General Meeting on 1<sup>st</sup> August 2016.

### **A. Freedom of Expression**

- KnysnaON respects the constitutional right to freedom of speech and expression.

### **B. Privacy and Confidentiality**

- KnysnaON respects the constitutional right of Internet users to personal privacy of communications.
- KnysnaON respects the confidentiality of customers' personal information and electronic communications, and will not gather, retain, sell or distribute such information to any other party without the written consent of the customer, except where required to do so by law.

### **C. Consumer Protection and Provision of Information to Customers**

- KnysnaON will provide the following information on their websites: their registered name, email address, telephone and fax numbers and physical address.
- KnysnaON will inform their customers that KnysnaON will uphold and abide by this Code of Conduct. And will display it on their website.
- KnysnaON has an Acceptable Use Policy (AUP) for their Internet access services. This policy is available to customers prior to the commencement of any such service agreement and at any time thereafter, on request.
- In their dealings with consumers, other businesses, each other and KnysnaON, KnysnaON will act fairly, reasonably, professionally and in good faith.
- KnysnaON will only offer service levels which are reasonably within their technical and practical abilities.
- KnysnaON complies with all compulsory advertising standards and guidelines.

### **D. Standard Terms and Conditions**

- KnysnaON will provide access to their standard terms and conditions from websites if needed. These terms and conditions are available to any potential customer prior to the commencement of any contract.
- Standard terms and conditions contain:
  - All information and terms relevant to the relationship with the recipient of the service;
  - A requirement that the customer will not knowingly create, store or disseminate any illegal content;
  - A commitment to lawful conduct in the use of the services, including copyright and intellectual property rights; and
  - An undertaking not to send or promote the sending of spam.
- Standard terms and conditions gives KnysnaON the right to remove any content hosted on behalf of its clients which it has received a take-down service.

- Standard terms and conditions give KnysnaON the right to suspend or terminate the service of any customer that does not comply with the terms and conditions, Acceptable Use Policy or any other contractual obligations.

#### **E. Unsolicited Communications (“spam”)**

- KnysnaON will not send or promote the sending of unsolicited bulk email and will take reasonable measures to ensure that their networks are not used by others for this purpose. KnysnaON will also comply with the provisions of section 45(1) of the ECT Act, and will not send or promote the sending of unsolicited commercial communications that do not comply with the provisions of section 45(1) of the ECT Act.
- KnysnaON will provide a facility for dealing with complaints regarding unsolicited bulk email and unsolicited commercial communications that do not comply with the provisions of section 45(1) of the ECT Act originated from their networks and will react expeditiously to complaints received.

#### **F. Cyber Crime**

- KnysnaON will take all reasonable measures to prevent unauthorised access to, interception of, or interference with any data on that clients’ network under its control.

#### **G. Protection of Minors**

- KnysnaON will take reasonable steps to ensure that they do not offer paid content subscription services to minors without written permission from a parent or guardian.
- KnysnaON will provide Internet access customers with information about procedures and software applications which can be used to assist in the control and monitoring of minors’ access to Internet content. This requirement does not apply to corporate customers where no minors have Internet access.

#### **H. Lawful Conduct**

- KnysnaON will conduct themselves lawfully at all times and must co-operate with law enforcement authorities where there is a legal obligation to do so.
- KnysnaON will respect intellectual property rights and not knowingly infringe such rights.
- KnysnaON will uphold and abide by this Code of Conduct and adhere to the associated complaints and disciplinary procedures.

#### **I. Unlawful Content and Activity**

- There is no general obligation on KnysnaON to monitor services provided to customers, but, is obliged to take appropriate action where it becomes aware of any unlawful content or conduct.
- KnysnaON will not knowingly host or provide links to unlawful content, except when required to do so by law.
- If KnysnaON becomes aware of conduct or content, which has been determined to be illegal, it will suspend or terminate the relevant customer’s service and report the conduct or content to the relevant law enforcement authority. KnysnaON will report such cases and any action taken to KnysnaON within a reasonable period of time.
- KnysnaON will establish a notification and take-down procedure for unlawful content and activity in accordance with KnysnaON’s take-down notification procedure, and respond expeditiously to such notifications.
- KnysnaON will submit a report to the customer on the steps taken in response to a take-down notice within a reasonable period of time after such notice is lodged.

- KnysnaON will keep a record of all take-down notices received and any materials taken down for a period of at least three years unless possession of such materials is illegal.

#### **J. Internet Standards**

- KnysnaON will operate with due regard for established Internet best practices, as set out in the various request of comment (RFC) documents as mandated from time to time by established and respected Internet governance structures.

#### **K. Compliance with the Code of Conduct**

- KnysnaON will receive and investigate complaints made in accordance with this Code of Conduct, unless such complaints are frivolous, unreasonable, vexatious or in bad faith.
- KnysnaON will make all reasonable efforts to resolve complaints in accordance with the complaints procedure.
- KnysnaON will audit the compliance of customers with the Code of Conduct annually and must perform regular spot checks in this regard.

#### **L. Alterations**

- KnysnaON reserves the right to make alterations to this Code of Conduct from time to time. Such amendments are binding on all KnysnaON staff. The current Code of Conduct will be maintained on the KnysnaON website.