

Acceptable and Fair Use Policy

July 2023

REANNZ is a not-for-profit Crown-owned company under Schedule 4A of the Public Finance Act 1989. Our Shareholding Ministers are the Minister of Finance and the Minister of Research, Science and Innovation ("REANNZ", or "we", or "our" or "us"). REANNZ exists to meet the specific needs of the Research, Education and Innovation communities for high-performance networking and associated services (together the "Services").

Purpose



This document is the Acceptable and Fair Use Policy of REANNZ (the "Policy").

This Acceptable and Fair Use Policy is intended to help protect our Member's and the Research and Education community, from the inappropriate use of, and ensure equal access to Services. This Policy sets out the rules which apply to the access and use of our Network and Services including, your responsibilities, and permitted and prohibited uses of those Services.



Why is this Policy important?

REANNZ is committed to providing our Member's with high performance, reliable and consistent Services. It is therefore important that all Members have equal access to these Services without contention.

This policy will apply to you if you consume any Services from REANNZ ("you", "your" "users" or "member") and is part of our agreement with you for such Services.



Member Responsibilities

Members must comply with the Acceptable and Fair Use Policy, relating to accessing and using the Network and the Services, and;

- use all reasonable endeavours to ensure there is no unauthorised and or malicious access to the Network or to the Services by any person using the Member's Access Equipment,
- ensure Users use the Services only for lawful purposes and act in accordance with all applicable laws, regulations, and codes of conduct,
- ensure its Users exercise reasonable care in their use of the Services and Network,
- ensure its Users do not infringe another person's rights, including that person's Intellectual Property rights,
- ensure its Users do not damage any equipment or property of any person (including any damage to REANNZ infrastructure) or injure or otherwise harm any person,
- interfere with or interrupt the Services or Network, any other member of the REANNZ Network, or any other NREN or other telecommunications network, equipment, facilities or cabling controlled or used by REANNZ or any other supplier of telecommunications services;

- transmit, publish, or communicate any defamatory, offensive, abusive, indecent, or menacing material (provided that, for this purpose material, which is being transmitted solely for an academic purpose, consistent with your reasonable ethical standards, shall not be considered to be material of the type to which this clause applies);
- violate or infringe any duty or obligation owed to any person; or,
- where in our reasonable opinion, usage of the Network or Services by the Member materially exceeds the range of estimated usage patterns, or is likely to damage, or negatively impact the operation of the Network or Services.



Application

1. We agree to exercise good faith in the administration of this Policy, and in making determinations under it.
2. In the event, where in our reasonable opinion, your usage violates the Policy, we will contact you to advise you of that violation and request that you stop or alter the nature of your usage to comply with your responsibilities.
3. If you knowingly continue to breach our Policy after said notification, we reserve the right to;
 - (a). suspend, restrict, or disconnect your Services; or
 - (b). terminate our agreement with you with immediate effect.



Guidance Materials

We may revise our Acceptable and Fair Use Policy at any time. We will notify you by email at least 3 months prior to any such changes to the Policy. The updated version of the Policy will be made available on the Member Portal (*member.reannz.co.nz*). You are expected to take notice of any changes that are made as they are legally binding on you.



Legislation

- Privacy Act 2020 and the Privacy Principles
- Copyright Act 1994
- Copyright (Infringing File Sharing) Amendment Act 2011
- Trade Marks Act 2002
- Crimes Act 1961
- Telecommunications Interception Capability & Security Act 2013
- Telecommunications Act 2001