

USAGE POLICIES

Any terms in capitals not defined in these Usage Policies will have the same meaning as in your Contract. These Usage Policies apply to you and anybody you allow to use NOW Broadband and Calls. Any reference to “you” shall be interpreted to mean you and anybody you allow to use NOW Broadband and Calls. You are responsible for the use of NOW Broadband and Calls by any person you allow to use it including anyone who accesses the Products because you have removed the wireless encryption security on your NOW Broadband Hub.

How we update our Usage Policies

The way our customers use NOW Broadband is changing all the time so we may need to change our Usage Policies to adapt to our customer’s needs. Our latest Usage Policies will always be posted on our website at www.nowtv.com so please keep checking for updates.

ACCEPTABLE AND FAIR USE POLICIES

Irrespective of which product you have subscribed to, our Acceptable and Fair Use Policies (AFUPs) apply to you and those who you allow to use the products.

If you have any queries about our AFUPs, you can contact us by emailing AcceptableUsePolicy@bskyb.com.

Don’t use NOW Broadband and Calls illegally!

NOW Broadband and NOW Broadband’s networks may only be used for lawful purposes in accordance with all laws, statutes and regulations in force from time to time in the United Kingdom (“**Laws**”).

You may not use the NOW Broadband and Calls Services and the NOW Broadband Networks to send, receive, store, distribute, transmit, post, upload or download any materials or data which:

- violates any Law;
- is defamatory, offensive, abusive, indecent, obscene, or constitutes harassment;
- is or may be harmful to minors;
- promotes or encourages illegal or socially unacceptable or irresponsible behaviour;
- is in breach of any third party rights (including any third party intellectual property rights);
- has any fraudulent purpose or effect or involves you impersonating another person or otherwise misrepresenting yourself as the source of any communication; or

- damages or may damage our name and/or reputation or the name and/or reputation of our sub-contractors or agents.

Specifically and in relation to NOW Calls, you should not use the service for any improper or unlawful purpose such as:

- the making of hoax calls or communicating false information or information you believe to be false;
- the making of calls which are defamatory, offensive, abusive, obscene, menacing, threatening or otherwise made for the purpose of causing annoyance, inconvenience or anxiety to another;
- fraudulently or in connection with a criminal offence; or
- otherwise in a manner which is in breach of any applicable legislation or regulations or the rights of any other party.

We have put technical measures in place to prevent you from accessing certain websites that contain illegal images of child abuse that are identified from time to time by the Internet Watch Foundation (“IWF”). Although these filters are comprehensive, they do not provide an absolute guarantee that you will be unable to view such illegal images on the internet. In addition, these measures do not filter other content which you may find distasteful, such as “adult” material. On this basis, we recommend that you consider installing additional software on your computer to prevent access to inappropriate websites or content on the internet.

For further information regarding the IWF, please visit their website at www.iwf.org.uk.

Do not violate anyone’s systems or network security

You must not use NOW Broadband and Calls to violate NOW Broadband’s networks’ security or any third party’s system or network security by any method including:

- 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;
- unauthorised monitoring of data or traffic on any network or system without the express authorisation of the owner of the system or network; or
- unauthorised interference with any user, host, system or network without the express authorisation of the owner of the system or network.

You must not send, receive, store, distribute, transmit, post, upload or download any materials that are designed to violate NOW Broadband Network’s security or any third party’s system or network security. Examples of such prohibited material may include (but are not limited to):

- programs containing viruses, worms, corrupted files, hoaxes, Trojan horses or any other items of a destructive or deceptive nature;
- tools designed to compromise the security of other sites;
- programs or services designed to send or facilitate the sending of unsolicited advertisements; or
- programs or services designed to encourage or facilitate a breach of these AFUPs or any acceptable use policy of another internet services provider.

You must not connect NOW Broadband's networks to insecure machines, equipment or services able to be exploited by others to carry out actions which constitute a breach of these AFUPs. If you do, you must disconnect it immediately, or allow us to disconnect it for you at your expense.

You must not adapt, modify, decompile or reverse engineer any part of NOW Broadband.

You are responsible for all materials and/or data originating from the machines and/or networks that you have connected to NOW Broadband's networks. You must immediately disconnect (and subsequently secure prior to reconnection) machines generating materials and/or data which contravene these AFUPs once notified of such activity by NOW TV.

Messages

You must not send Messages to anyone who does not wish to receive them. We acknowledge that email and instant messaging are informal methods of communication however you must refrain from sending Messages to another user after receiving a request to stop.

You must not send unsolicited bulk Messages or any other form of abusive electronic communication. In particular, unsolicited advertising mailings (whether commercial or informational) are strictly prohibited.

You must not operate, host, provide hosting facilities to or assist in any way any web site, email address, or any other online service which is advertised or promoted by means of unsolicited bulk Messages (whether commercial or informational), any mass messaging facility or any other form of abusive electronic communication.

You must not send, distribute, or reply to mail-bombs. Mail-bombing is either sending copies of a single message to many users, or sending large or multiple files or messages to a single user with the intention of disrupting their internet experience.

You must not use false Message headers or alter the headers of Messages to conceal their email address or to prevent internet users from responding to messages. You must not use any email

address that you are not authorised to use.

You must not suggest or imply that any Message you send is from, authorised or endorsed by, NOW TV or any other Sky company or relates to any Sky business.

We will scan your incoming Messages for viruses and remove any Messages from NOW Broadband's networks which contain viruses. Although these filters are comprehensive, they do not provide an absolute guarantee that you will not receive viruses via Messages and you are advised to install appropriate anti-virus software on your computer.

We will scan your incoming Messages for spam and move any suspected spam to a separate folder in your email account where you can inspect it to ensure that non-spam Messages hasn't been inadvertently identified as spam. Items of suspected spam will be deleted after 30 days.

World Wide Web and surfing the net

You will be solely responsible for your use of the internet and any web pages owned and/or operated by you that you connect to NOW Broadband's networks using NOW Broadband and Calls. You must not use world wide web pages within or outside NOW Broadband's networks to violate any part of these AFUPs or to disrupt or attempt to disrupt another internet user's internet experience.

How do you make a complaint?

If you wish to notify us of a breach of these AFUPs, or if you wish to make a complaint regarding content, data or material that has been stored and/or accessed via NOW Broadband's networks or NOW Broadband, please email us at AcceptableUsePolicy@bskyb.com

The actions we can take

Firstly, you should be aware that we will block any electronic communication that we reasonably consider to have breached these AFUPs.

Secondly, if you have breached these AFUPs, or we or a third party, reasonably suspect that you may have breached these AFUPs we will notify you by email (provided that this notification does not prejudice any investigation) and we may also:

- (a) immediately suspend your access to NOW Broadband until such time as we are satisfied the breach has stopped;
- (b) immediately end your Contract;
- (c) notify and/or pass on the details of the breach of these AFUPs to any relevant government, statutory, self-regulatory or law enforcement authority;

(d) investigate the alleged breach of these AFUPs, which may include gathering information from you and/or the complaining party (if any) and the examination of any other data or material on NOW Broadband's networks or our servers or

(e) remove (either temporarily or permanently), copy, store, monitor or otherwise deal with data and/or other material on NOW Broadband's networks and/or our servers.

In relation to NOW Calls, if you or use of 'unlimited' or 'no extra charge' calls provided as part of your NOW Calls service exceeds that reasonably expected of a reasonable person using NOW Calls for domestic purposes, we may:

(a) restrict your NOW Calls service; and/or

(b) charge you NOW Calls' standard rates as published in our latest tariff guide for any calls exceeding those reasonably expected of a person using NOW Calls for domestic purposes.

NOW TV will use your personal data and other account information in connection with any investigation carried out by NOW TV in accordance with these AFUPs, including by disclosing it to any third party authority that NOW TV considers has a legitimate interest in any such investigation or its outcome.