

## Fair Use Policy

### Summary

1. Our Fair Use Policy applies to your use of any service
2. The purpose of our fair use policy is to ensure our customers responsibly access our services to assist us to deliver quality, safe and secure services. To do this, our Fair Use Policy sets out your responsibilities when using our services and the consequences of misuse.
3. We reserve the right to vary the terms of this Fair Use Policy from time to time.
4. We may rely on the Fair Use Policy where Your usage of the Fair Use Services is unreasonable, as defined below.
5. Unlimited means the amount of data you download or upload is not limited, however, unlimited does not imply infinite data
6. The maximum data transfer speed of your connection is dependent on physical infrastructure such as your premises distance from the node (FTTN) and quality of communications cabling. The speed of your own connection may place a limit to the amount of data that you are able to download.

### Unreasonable Use

Your use of a service is unreasonable if you use a service in a way considered by EHW to:

1. Be fraudulent or in contravention of any relevant laws (Commonwealth, State or Territory law)
2. Contrary to the way we intended the service to be used (“unintended use”). Unintended use means using the service in a way a reasonable person would not regard as ordinary.
3. Cause significant network congestion or disruption or adversely affect the EHW network, a supplier’s network or adversely affect another person’s use or access.
4. Resale of the service
5. Use of a residential service for business purposes

### Our Rights

1. If we reasonably consider your use of the Fair Use Services is unreasonable, we may, at our sole discretion, and without telling you before we do so:
  - a. suspend or limit the Service (or any feature of it) in accordance with Our Agreement with You; and/or
  - b. terminate the Service in accordance with Our Agreement with You.
2. This policy is supplementary to and does not limit any of EHW’s rights.