

Fair Use Policy

Valid from: 13 January 2023

What is the service?

BigPurplePhone® is a mobile phone service and handset designed for seniors who need a safe and secure smartphone with emergency features and limited functionality. Please read the following Summary carefully to check its suitability for your Senior.

What is this policy for?

This policy aims to ensure BigPurplePhone is able to provide a quality service to all of our customers, and no customers are disadvantaged by the behaviour of others.

General Terms

This policy should be read in conjunction with the relevant Critical Information Summary (CIS) and is subject to the CIS.

This policy applies to any promotion or plan which is advertised as being or stated to be subject to a Fair Use Policy including (without limitation) where:

- there is a level of free time on calls/number of calls, or
- there is flat charge for part or all of a call, whether in connection with a specific promotion or pricing plan, or a generally available pricing plan, or
- you may make or receive calls, or send or receive text (SMS) without limitation, or
- you may connect to and use information services on mobile products, or
- any other promotion or plans which are advertised as being subject to the Fair Use Policy. This includes, without limitation, BigPurplePhone to BigPurplePhone calls, Free Text and Untimed ISDN/PSTN calls.

Unreasonable Use

Without limiting the meaning of 'unreasonable', we supply the service and each of the value-added services for the purpose of you: making calls from and receiving calls to your BigPurplePhone and sending content from and receiving content to your BigPurplePhone on our network for your senior's personal use.

Big phone. Big heart.

Address | 10 Walker Street, Bowral NSW 2576
Phone | (02) 9188 6998
Email | hello@bigpurplephone.com.au

Henderson and Associates Pty Ltd trading as BigPurplePhone ABN:16627643387

We consider your use of the service or a value-added service feature, to be unreasonable if you:

1. Make or receive calls or send or receive content on our network other than for you or your senior's personal use; or
2. Use the service for commercial purposes without obtaining our written consent first. commercial purposes includes, without limitation, the following activities:
 - a. Wholesaling any service (including transit, refile or aggregate domestic or international traffic) on our network;
 - b. Using the service (including any SIM card) in connection with a device that switches or reroutes calls to or from our network or the network of any supplier;
 - c. Using the service or a value-added service feature in connection with a switch device which overcomes the time cap on free or flat call rates, thus keeping a line open potentially for hours and limiting the ability for other customers to access our network;
 - d. Running a telemarketing business or call centre;
 - e. Leaving a call connection open for purposes unrelated to making a call, or while in an unattended state for a prolonged period of time eg. as a baby monitor
 - f. Using our service to provide call centre services, to carry out telemarketing, for back to base services, wholesaling any service, SIM boxing, arbitrage or for other business use

We may give or withhold our consent, or make our consent subject to conditions, at our discretion.

Excessive Use

We consider excessive use of:

1. Calls to be more than 2,500 free minutes for two consecutive months per service; or
2. SMS usage of more than 1,000 SMS text messages sent per month per service; or
3. MMS usage of more than 1,000 MMS text messages sent per month per service.

If your usage is deemed to be unreasonable, excessive or unacceptable, we may ask you to reduce your use of the affected usage type. If usage continues at an excessive level following this request, we may:

1. Suspend or limit your service or your access to these offers; or
2. Terminate the Agreement, in each case immediately and without notice to you.

Unacceptable Use

Some examples of unacceptable use of our service include but are not limited to:

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1. Improper interference with another person's use of our service
2. Use of any equipment or device (including SIM cards) which have not been approved by us
3. Providing us with false user information
4. Sending unsolicited or unwanted commercial electronic messages
5. Gaining improper access to another person's private or personal information
6. Distributing or making available indecent, obscene, offensive, pornographic, illegal or confidential material
7. Defaming, harassing or abusing anyone or violating their privacy
8. Contravening any applicable law
9. Communicating with emergency service organisations without an emergency
10. Distributing or making available material that is misleading or deceptive as to your identity
11. Infringing any person's intellectual property rights, including copyright
12. Monitoring data or traffic on any network or system without the authorisation of the owner of the network or system to do so obtaining or attempting to obtain unauthorised access to any computer, system or network
13. Seeking to compromise the security or interfere with the operation of our service or any other computer, system or network.

Breach of Fair Use Policy

If you use a product or service in breach of our Fair Use Policy, we may contact you and ask you to stop, or change your usage. If you have used or continue to use the service or product in a way which we consider to be in breach of our Fair Usage Policy, we reserve the right to suspend or terminate your service immediately without notice.

Other information

BigPurplePhone reserves the right to vary the terms of the Fair Use Policy at any time.

An up-to-date copy of this policy may be obtained from our website

<https://bigpurplephone.com.au/pages/policies> or by contacting Customer Support – see below for details.

Complaints

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If you are not happy with your service, you can follow our Complaints Handling process. For more details our Complaints Policy on our website at <https://bigpurplephone.com.au/pages/policies>

If you are still not happy with the outcome of your complaint after following our dispute resolution process, you can contact the Telecommunications Industry Ombudsman (TIO) for independent mediation.

The TIO can be contacted by calling 1800 062 058 or visiting the TIO website at www.tio.com.au/making-a-complaint.

How to get in touch with us?

You can reach us at any time by:

Chatting with us, through our website at www.bigpurplephone.com.au

Emailing us on support@bigpurplephone.com.au

Calling us on **02 8660 1390**

Our support hours are 9AM-5PM, Monday - Friday AEST.

We update our policies from time to time. If you are reading a printed copy of this document, please refer to the Policies section our website to ensure you have the latest version.

This document should be read in conjunction with our Standard Terms and Conditions which can be found under Policies on our website <https://bigpurplephone.com.au/pages/policies>.

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