

TERMS and CONDITIONS for the usage of all data obtained from Oscar Research Ltd

All users/viewers of data belonging to/supplied by Oscar Research Ltd must accept and abide by the following terms and conditions. Acceptance of these conditions is signified by receipt of any data file that contains contacts originated from the Oscar Database.

The Public Service Exchange is provided by Oscar Research Ltd.

The database is the intellectual property of Oscar Research Ltd.

Oscar Research is registered under the Data Protection Act and is a member of the List Warranty Register (002299) adhering to all the necessary best practice guidelines laid out by the Direct Marketing Association

The data is legally collated, regularly updated and accuracy is being continuously monitored.

Definitions

'Data' - any information derived from a database or list supplied by Oscar Research Ltd

'Client' - the person or organisation that has purchased a license to use data supplied by Oscar Research Ltd

'Recipient' any contact / organisation listed in data supplied by Oscar Research Ltd

List Protection. Data cannot be returned or exchanged. Data is considered sold/received upon supply. A number of sleeper names, companies, phones, faxes, emails, web sites etc and other data items are included in all lists as a means of monitoring usage and safeguarding against misuse. If any part of the data is passed to / used by another company (ie any other than that which is licensed to use it), without authorisation from OSCAR RESEARCH LTD, the client will be liable for the full rental / subscription cost of the list again without any discounts, plus costs and damages should this need to be legal enforced.

Payment

Full payment for any licence/subscription is due within 30 days, if payment isn't received within 30 days of invoice date. In the case of third parties having purchased the data on behalf of a client, we reserve the right to pursue the nominated user for full payment plus any associated costs.

General Use

- Data cannot be used after the prescribed license period, or re-used in the case of single-use licences
- Data must be completely removed from all systems once a licence has expired.
- Data cannot be in any way transferred to another organisation without the express permission of Oscar Research Ltd
- We accept no responsibility or liability for any form of communication between the client and the recipient
- We reserve the right to cancel orders at any time and provide a pro-rata refund* for the remaining rental/subscription period.
- No data supplied is screened against the MPS/TPS/CTPS/FPS or any other preference service. The information is as supplied to us by the organisation. Appropriate screening of data must be done prior to any form of communication being made with contacts on the database.

Use of postal address, telephone* and facsimile data

- All communications made to recipients on the database should be as relevant and targeted as possible
- If a request is made for a recipient to be removed from the data, this should be respected and the client should maintain a list of recipients that no longer wish to receive communication from them. It is the client's responsibility for updating and using this list
- Only reasonable attempts should be made by any client to promote their services/products, repeated calls*/faxes and/or any undue pressure being made to any recipient(s) will result in the usage license being cancelled.

Use of Online Directory

The following applies to Public Service Exchange subscribers, Public Sector Officers and paying subscribers to the online directory service. Each username and password supplied is for one organisation only, providing any other organisation access to this service is strictly prohibited. Each organisation is responsible for ensuring that only employees of that organisation use the service. Usage of each password is monitored and any misuse/copyright infringement is the responsibility of that organisation. The data contained in the directory is the intellectual property of Oscar Research Ltd, no copying/and form of reproduction is permitted without written permission.

EU Privacy and Electronics Communication Directive

***Use of Telephone numbers**

As part of The Privacy and Electronic (EC Directive) Regulations 2003, the TPS maintains a database of telephone numbers of subscribers who don't wish to receive unsolicited marketing calls.

From June 25th 2004 corporate registration on the TPS will allow all businesses (including the Public Sector) to join a register to block sales calls. Registration will take 28 days to take effect. The corporate register was released for screening purposes on July 1st 2004.

The legislation requires that TPS screening must be undertaken by anyone making promotional and/or fundraising calls to any business/Government number to ensure that they are not calling a number which is CTPS registered. After the initial screening of a database monthly screening is recommended.

To comply with legislation, all companies must maintain their own telemarketing 'opt-out' database, consisting of companies who have requested exclusion from their marketing database, and also provide their company name and either a free phone number or valid postal or email address for opt-out requests.

It is the responsibility of the client (not the provider) to ensure lists are TPS compliant. Express consent for a call overrides the TPS legislation."

Use of electronic mail addresses

Britain's implementation of the EU Privacy and Electronics Communication Directive came into force on 11 December 2003. The directive classifies e-mail addresses by the legal status of the owner, splitting addresses into two categories 'personal' and 'corporate'. All e-mail addresses held on our database belong to Public Sector organisations and are defined as 'corporate'. In line with this, users of our data should adhere to the following best practice guidelines:

- All electronic communication should be relevant/targeted (not SPAM*) to the recipient. This can be achieved through the use of functional and/or organisation type categorisation.
- All messages should make the content of the e-mail clear in the subject line.
- All messages should carry a signature, giving full contact details of the sender/sender's organisation.
- All messages should carry a clear and unambiguous opportunity for recipients to 'opt-out' (not receive any further e-mails) from future electronic communication.
- All users should maintain their own 'stop list' of contacts that have chosen to opt-out from the users list. The stop list should be kept and updated directly either by the user/client or by the third party used to distribute the electronic mail. Oscar Research Ltd accepts no responsibility for maintaining or removing e-mail addresses on behalf of any individual client/customer.

**Spam, defined in the legislation as "unsolicited email sent without the consent of the addressee and without any attempt at targeting recipients who are likely to be interested in its contents"*

Due to firewalls/whitewalls/other anti-spam measures/server problems etc, Oscar cannot guarantee the deliverability of any e-mail addresses supplied.

Legal action may, and in some cases will, be taken if any one or more of our Terms and Conditions are broken