

My Mobile Limited Email Legal Notice

1. Applicability

My Mobile Limited (My Mobile) is a privately held company incorporated in and subject to the laws of England and Wales.

My Mobile offers worldwide airtime auction services online at <http://www.trada.net>. As these services are available to South African consumers, My Mobile endeavours to comply with South African legislation where relevant, and to manage the risks relating to the use of technology and email in its South African business operations.

This Email Legal Notice has legal force and effect in terms of section 11 of the Electronic Communications and Transactions Act, 25 of 2002.

2. Purpose

The purpose of this Email Legal Notice is to regulate the use and receipt of email to and from My Mobile.

3. Scope

Emails, attachments to emails and links within emails are collectively referred to as 'email' in this Email Legal Notice.

4. Recipients of Email from My Mobile

Email from My Mobile is intended for named recipients only. Persons copied are also named recipients.

Any other persons in receipt of email from My Mobile are unauthorised recipients of My Mobile's email.

5. Confidentiality and Privilege of Email from My Mobile

My Mobile's email is classified 'company confidential'.

If you are an unauthorised recipient, kindly:

- Notify the sender if the sender is a My Mobile representative; or
- Notify help@smartcalltech.co.za

If you are an unauthorised recipient please destroy all email in electronic and hard copy format that you have received as an unauthorised recipient and / or have printed without authority.

6. Monitoring and Interception

To comply with law and in line with international standards and best practice relating to the use of information technology in its business activities, My Mobile monitors and intercepts live communications such as Interactive Voice Response (IVR), Short Message Service (SMS), Unstructured Supplementary Service Data (USSD), Wireless Application Protocol (WAP), Online Based Billing (OBB), Events Based Billing (EBB), Location Based Services (LBS), email, website and WAP Site activity in compliance with of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 70 of 2002.

Subject to the provisions of the Electronic Communications and Transactions Act, 25 of 2002 and South African and international privacy principles My Mobile will, where necessary and / or if required by law, access static data created, received, communicated and stored by my mobile as part of its business.

7. Your Privacy

Resultant from My Mobile's practice of accessing static information and monitoring and intercepting live communications, including email, is that you have no expectation of privacy with respect to communications to and from My Mobile. If you do not agree to this limitation of your constitutional right to privacy, regulated in terms of the above named Acts, you should not communicate with My Mobile via email or other forms of electronic communication.

Notwithstanding the fact that My Mobile respects your privacy, it also has an obligation to identify and to limit risk related to the use of email and other forms of electronic communication in its business. As such, it seeks to find a balance between these opposing rights and obligations.

8. Warrantees and Representations

No warranties are made or implied that any employee or contractor of My Mobile is or was authorised to create and / or send this email.

9. Unauthorised Use of My Mobile Email Systems

In relation to its South African business operations, My Mobile regulates its internal environment in accordance with South African law and My Mobile's policies, procedures, guidelines and technologies. Authorised users of My Mobile's email systems are subject to these instruments which regulate the acceptable use of email. In the event that My Mobile's policy and rules on the acceptable use of email is contravened by users, the users will be liable. My Mobile's directors, management and aggregation service providers shall not accept liability arising from such contravention.

10. Damages Arising from Email from My Mobile

Email technologies and the use of related telecommunication systems and networks expose My Mobile to dynamic security and business risk. In relation to its South African business operations My Mobile manages this risk, in accordance with South African law, through its policies, procedures and guidelines to prevent unauthorised access to or abuse of its systems and networks.

My Mobile is committed to the highest standard of its duty of care and, as such, My Mobile will not be held liable for damages arising from the use of email.

11. Transmission and Receipt of Email from My Mobile

In accordance with the Electronic Communications and Transactions Act 25 of 2002, email is deemed received only when receipt is confirmed orally or in writing. Email is deemed sent as and when reflected in My Mobile's mail server logs.

Furthermore, email is deemed as having been sent from the originator's usual place of business or residence and as having been received at the addressee's usual place of business or residence.

12. Requirements for Valid Agreements

It is My Mobile's policy that no binding agreements will be entered into with South African consumers through the use of email. Any offers made or received will be regarded merely as part of the process of negotiation. The conclusion of agreements negotiated by email must be reduced to writing, printed on paper and signed by hand with ink.

13. My Mobile Corporate Information

My Mobile Limited	
Name	My Mobile Limited
Legal status	Privately held company
Physical address and the address for receipt of legal service of documents	Charter Place 23 / 27 Seaton Place St Helier Jersey JE1 1JY
Postal address	
Phone numbers	+44 (0)1534 835 835
Facsimile number	+44 (0)1534 835 888
Website address	http://www.trada.net
Email address	help@ smartcalltech.co.za
Company registration number	1346104
VAT registration number	NA
Place of registration	Jersey
Directors and office bearers	Richard Michael Kearsy

Brian Hamilton Morris

