



## EMAIL LEGAL NOTICE

### 1. Applicability

Dingo Trax Pty Ltd (**Dingo Trax**) is a privately held entity based in Melbourne, Australia which provides 4X4 tag-along adventure tourism.

Email is an integral part of Dingo Trax business and an important means of communicating with customers, service providers and third-parties.

### 2. Purpose

The purpose of this Email Legal Notice is to regulate the use and receipt of email to and from Dingo Trax in accordance with the *Electronic Transactions Act 2000* (Vic).

### 3. Scope

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

### 4. Email from Dingo Trax

Email from Dingo Trax is intended for named recipients only. Persons copied are also named recipients. Any other persons in receipt of email from Dingo Trax are unauthorised recipients of Dingo Trax email. Dingo Trax cannot and will not be liable for unauthorised forwarding and distribution of email.

As an authorised recipient, in your personal capacity, or authorised representative of an organisation, you agree to receive communications electronically.

### 5. Confidentiality and Privilege of Dingo Trax Email

Dingo Trax email may contain confidential and/or privileged information. Any dissemination, distribution or copying by persons other than the intended recipient(s) is prohibited. If you are an unauthorised recipient, kindly:

- Notify the sender if the sender is a Dingo Trax representative; or
- Notify Dingo Trax at [Info@dingotrax.com.au](mailto:Info@dingotrax.com.au) if the sender is a third-party.

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

### 6. Access, 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, Dingo Trax monitors and intercepts 'live'

(travelling over telecommunications networks) communications such as email (blocking, filtering, scanning). Where necessary, to manage business risk and if required by law, Dingo Trax will also access static information created, received, communicated and stored (processed) by it as part of its business and in the pursuit of its legal obligations.

## **7. Privacy**

As a result of Dingo Trax's practice of monitoring and intercepting live email communications, and accessing static (archived) email, you can have no expectation of privacy with respect to email communication to and from Dingo Trax. If you do not agree to this limitation of your possible right to privacy, you should not communicate with Dingo Trax via email. Please also see Dingo Trax Website Terms of Use and Privacy Policy published at [www.dingotrax.com.au](http://www.dingotrax.com.au) which are related legal notices.

## **8. Third Party Service Providers and Force Majeure Events**

Dingo Trax relies on various third-party service providers such as telecommunications and internet service providers. These are based in Australia, and possibly in other countries also. Dingo Trax cannot and will not be liable for delays, damages or the non-availability of email and related services which are beyond its control due to third-party dependencies and force majeure events.

## **9. Warranties and Representations**

No warranties are made or implied that any volunteer, employee or contractor of Dingo Trax is or was authorised to create and/or send email on behalf of Dingo Trax.

## **10. Unauthorised Use of Dingo Trax Email Systems**

Dingo Trax regulates its internal environment in accordance with Australian law and administrative, technical and physical controls. In the event that these controls, which include rules on the acceptable use of email are contravened by users, the users themselves will be liable. Dingo Trax directors and management shall not accept liability arising from such contravention.

## **11. Damages Arising from Email from Dingo Trax**

Email technologies and the use of related telecommunication systems and networks expose Dingo Trax to dynamic security and business risk. Dingo Trax manages this risk in accordance with Australian law, relevant international law, international standards, best practice and through its policies, procedures, and guidelines to prevent unauthorised access to or abuse of its systems and networks. While Dingo Trax is committed to a reasonable standard care and diligence, Dingo Trax cannot and will not be liable for damages arising from the use of email which are beyond its control.

## **12. Dispatch and Receipt of Email**

Senders of email addressed to Dingo Trax agree that email is deemed received by Dingo Trax only when receipt is confirmed orally or in writing. Email from Dingo Trax will be deemed dispatched as and when reflected in the Dingo Trax email server logs. For all purposes, the place of dispatch and receipt of email from and to Dingo Trax shall be Melbourne, Victoria, Australia.

### **13. Requirements for Valid Agreements**

Unless otherwise agreed, it is Dingo Trax policy that no binding agreements will be entered into through the use of email. Any offers made or received via email will be regarded merely as part of the process of negotiation until such time as Dingo Trax confirms the conclusion of an agreement.

### **14. Governing Law**

This Agreement shall be governed by and interpreted in accordance with the laws of Victoria, Australia.

### **15. Skill, Diligence, Care**

Dingo Trax will exercise reasonable skill, diligence and care as may reasonably be expected in the use of email by a similar business.

### **16. Company Information**

Name	Dingo Trax Pty Ltd
Address	1 Dawn Avenue, Dandenong, 3175, VIC., Australia
Phone	+61(03) 9791 7562
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Email	<a href="mailto:Info@dingotrax.com.au">Info@dingotrax.com.au</a>
ABN	26 645 285 605