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## Acceptable Use of Information Systems Statute

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### 1. Purpose

Te Herenga Waka – Victoria University of Wellington ('the University') provides network and information systems to promote teaching, learning, and research and to assist with the administration of the University. Users have a responsibility not to misuse these facilities and to respect the rights of others using the information systems. This Statute provides a framework for the use of the network and information systems; breaches of this Statute are breaches of the Student Conduct Statute and the Staff Conduct Policy.

### 2. Application of Statute

This Statute is University-wide and it applies to all users of the University's Information Systems.

### Statute Content

### 3. Requirements of Users

- 3.1 The User must use information systems in accordance with the purpose and goals of the University, including approved academic programmes.
- 3.2 The User is required to conform to such policies as the Academic Board or the Vice-Chancellor may from time to time approve for the use of information systems.
- 3.3 The User must comply with Aotearoa New Zealand Law and Regulations regarding copyright, privacy, defamation, objectionable material, and human rights.
- 3.4 The User must comply with the University's licenses for the use of print and electronic material, video (broadcast and cable), and music. Except as allowed for under the terms of those licenses and the "permitted use" provisions of the relevant New Zealand statutes, the User is not authorised to make copies, derivative works of material owned by a third party or conduct file sharing. This includes strict compliance with the following laws.
  - (a) [Copyright \(Infringing File Sharing\) Amendment Act 2011](#)
  - (b) [Copyright Act 1994](#)
- 3.5 The User is prohibited from:
  - (a) Accessing, storing, viewing, publishing or distributing pornographic material;
  - (b) Publishing or distributing any material that is defamatory, offensive, fraudulent or harassing; or which results in excessive mail to other users (for example, passing on chain email or hoax letters).
- 3.6 Limited personal activities are permitted provided that they are kept to a reasonable level and are for a reasonable purpose. The University relies upon public funds and therefore any costs incurred by the University as a result of such activities must be taken into account when determining what is reasonable.
- 3.7 The User is required to take all reasonable precautions to maintain the integrity of passwords and any other security mechanisms. The User is responsible for maintaining the security of their password. If the password becomes potentially insecure for any reason, the User must

- immediately notify Digital Solutions and, as soon as practicable, implement a new secure password.
- 3.8 The User is responsible for all activity associated with their account, including any costs incurred. The User must take reasonable care to ensure no other party uses their account.
- 3.9 The User shall not incur costs:
- (a) on behalf of the University without proper authority; or
  - (b) on behalf of any person or organisation without the consent of that person or organisation.
- 3.10 The User shall not, without proper authorisation:
- (a) use or attempt to use any Information Systems; or
  - (b) do anything which damages, restricts, jeopardises, impairs or undermines the performance, usability or accessibility of any Information System, systems programs, or other stored information or data; or
  - (c) on access, read, alter, delete, or in any other way interfere with, any information, data or files (including electronic mail) held by another person, or attempt to do any of these things, regardless of whether the operating system of the computer permits these acts.
- 3.11 The User shall not assist, encourage, or conceal any unauthorised use, or attempted unauthorised use, of any Information System
- 3.12 The User shall not maliciously misrepresent or conceal the User's identity.
- 3.13 The User must comply with the terms of all software licence agreements for software loaded on to any Information System. This includes any activities relating to copying, modification, or distribution of proprietary software.
- 3.14 The User must comply with the terms of all software licence agreements between the University and any third party that governs the use of University licensed software when loading that software onto devices not owned by the University.
- 3.15 The User of Internet facilities must:
- (a) must not access or attempt to access facilities or services accessible via any network without proper authority;
  - (b) conform to requirements for the use of an information system accessed over the Internet established by the System Owner of that facility;
  - (c) conduct one's self in accordance with University conduct policies; and
  - (d) take reasonable care to prevent security breaches to information systems including contamination by and transmission of computer viruses.
- 3.16 Online communications published on the World Wide Web on behalf of the University, or using Information Systems, must:
- (a) not mislead or deceive;
  - (b) not breach the Copyright (Infringing File Sharing) Act 2011, Copyright Act 1994 or the Copyright Act 1994 amendments;
  - (c) not promote the personal commercial interests, or political or religious views of the User or their friends or family in such a manner that they appear to have the endorsement of the University;

- (d) conform to policies approved by the Academic Board or the Vice Chancellor on World Wide Web publication.
- 3.17 Private business activities must be undertaken in accordance with the Entitlement to Undertake Private Work Policy.
- 3.18 The User must not breach the Official Information Act 1982.
- 3.19 The User must immediately report suspected information security breaches to Digital Solutions.
- 3.20 Non-Users are explicitly denied use of any University Information System, which excludes those made publicly available.

#### **4. Monitoring and Investigation**

- 4.1 To ensure compliance with this Statute and any approved policies, the University may monitor the activities of the User and inspect files and other user information. The University is required to respect the rights of the User and their information, and to avoid any unnecessary disruption to legitimate activities.
- 4.2 Where the System Owner believes that the User has breached the provisions of this Statute or an approved policy, they may:
  - (a) exclude the User from the information systems pending investigation of the alleged breach. Exclusion of a student from the information systems for more than one day when the student is using the information systems for course work shall be reported, as soon as possible, to the Head of School;
  - (b) remove offending material;
  - (c) take other immediate action as they deem necessary.
- 4.3 The System Owner must within two working days of making a decision under clauses 4.2 (a) and (c) advise the Chief Information Officer of the decision and provide both the Chief Information Officer and the User with a written statement of the reasons. The Chief Information Officer Services shall review the decision and shall confirm it or modify, suspend or terminate it.
- 4.4 Where the System Owner is the Chief Information Officer, the Chief Information Officer must within two working days of making a decision under clauses 4.2 (a) and (c) advise the Chief Operating Officer of the decision and provide both the Chief Operating Officer and the User with a written statement of the reasons. The Chief Operating Officer shall review the decision and shall confirm it or modify, suspend or terminate it.
- 4.5 A student affected by a decision under clauses 4.2, 4.3, or 4.4 may appeal that decision. The complainant or respondent may petition the Disciplinary Appeals Committee to review or hear an appeal against an earlier formal resolution made under this Statute by giving notice in writing to the Secretary of the Disciplinary Appeals Committee within four weeks of being notified of the formal resolution.
- 4.6 In all events, the decisions of the Disciplinary Appeals Committee shall be final and binding.

*Note: Policies approved by the Academic Board or the Vice Chancellor pursuant to this Statute are available from the Digital Solutions Helpdesk and on the University's website. Policies approved by the Vice Chancellor pursuant to this Statute will also be notified to the Academic Board. Further information regarding Digital Solutions policies is located at <https://www.wgtn.ac.nz/about/governance/policy/policies>.*

#### **5. Definitions**

In this Statute, unless the context otherwise requires:

**Disciplinary Appeals Committee** means a committee of the University Council with approved Terms of Reference

File Sharing	means uploading or downloading using an application or network that enables simultaneous sharing of material between multiple users. Uploading or downloading may, but not necessarily, occur at the same time. This sharing includes but is not limited to P2P and BitTorrent.
Information System	means any computer system, telephone or peripherals owned or administered by the University, together with any associated electronic or mobile data storage systems; and any communication devices, wired or wireless network intended for the transfer of information, whether on University campuses or to which Users have access through University facilities, including the Internet.
Internet Facilities	means any information service outside the responsibility of the University including, but not limited to, online applications, mobile applications, electronic mail, World Wide Web, social media, cloud computing, file transfer protocols, and remote login.
System Owner	means the person authorised by the University to control an information system, or in the case of Infrastructure Information Systems, the Chief Information Officer.

### Related Documents and Information

#### 6. Related Documents

[Education and Training Act 2020](#)  
[Victoria University of Wellington Act 1961](#)

[Copyright \(Infringing File Sharing\) Amendment Act 2011](#)  
[Copyright Act 1994](#)  
[Defamation Act 1992](#)  
[Films, Videos, and Publications Act 1993](#)  
[Human Rights Act 1993](#)  
[Official information Act 1982](#)  
[Privacy Act 2020](#)

[Dealing with Sexually Explicit Material Procedure](#)  
[Entitlement to Undertake Private Work Policy](#)  
[Information and Records Management and Security Policy](#)  
[Staff Conduct Policy](#)  
[Student Conduct Statute](#)  
[Web Publishing Policy](#)

#### 7. Document Management and Control

Approver	Council
Last Modified	14 November 2022
Review Date	14 November 2025
Sponsor	Chief Operating Officer
Policy Owner	Chief Information Officer