



Tenement Safety Net

Product License Terms and Conditions

Product Overview

Tenement Safety Net is a web based application that runs on LandTrack Systems' servers to provide regular email reports on the status of critical management actions due on tenements in all Australian States and Territories, which include: WA, NT, QLD, SA, NSW, VIC and TAS.

License

By the use of LandTrack Systems' **Tenement Safety Net** the user (Licensee) of the **Tenement Safety Net** agrees to the terms and conditions set out in this document. LandTrack Systems has an annual operating fee for **Tenement Safety Net** that entitles the licensee to run the application on LandTrack Systems' server at programmed intervals. Each run will produce a single email report that can be sent to multiple recipients.

The Application

Tenement Safety Net sources its data from the different State's Mines Departments. Each Australian State and Territory has its own Mining Act, Regulations, procedures and the detail of provision of data is varied, therefore the statutory actions that can be reported are varied.

Where information is available, **Tenement Safety Net** will track whether statutory actions have been performed or not, with additional reports on actions completed and actions overdue, otherwise it will just notify when they are due.

Tenement Safety Net requires no installation, and once set up requires limited Licensee's computer resources. Initially Licensees need to supply LandTrack Systems with an up-to-date tenement schedule so that the first **Tenement Safety Net** report can be generated. From then on it is the responsibility of the Licensee to keep this schedule up to date with the relevant tenements. This can be done by using the *LandTrack Online* web portal. The email report clearly states the last time the tenement schedule was updated. Each License covers a single tenement list going to an email recipient list.

Duration of License

After payment of the **Tenement Safety Net** Licence fee, the License runs in perpetuity until terminated pursuant to the clause below 'Termination of Licence' and payments are due in 12 month periods. LandTrack Systems will issue invoices when required.

License Fee

Tenement Safety Net has a set-up fee (see current pricing schedule). If the **Tenement Safety Net** License lapses, the set-up fee will apply to re-activate the License.

The annual License fee is dependent on the Licensee's chosen reporting options, as outlined in the **Tenement Safety Net** User Guide and quoted on accordingly.

Provisions of the License

1. **Updates and Bug Fixes:** Updates required by changes to State's legislation and the State's Mines Departments processes will be released as soon as possible after the changes have been made. Serious software bugs without any workaround will also be fixed as soon as possible. Response times for fixes cannot be guaranteed, but the target timeframe is within a week. All updates and bug fixes are included under the contract, and will be applied to **Tenement Safety Net** automatically, requiring no user interaction.
2. **Training and Support:** The License allows for one hour of phone support per month, plus unlimited email support. Additional support and training will be charged at \$200/hr, including travel time. Remote online support is also offered. Support is only guaranteed during normal office hours Australian Western Standard Time, Mon-Fri 8:30 am -4:30 pm, with half-day response times the target. The Support contact number is 1300 659 454 and email support@landtrack.com.au.
3. **Requesting New Features:** Users are encouraged to suggest enhancements to, and new features for **Tenement Safety Net**. These will be classified and acted on according to the following criteria:
 - Enhancements that are simple to add (e.g. a new report) and add value to all users of the product will be included for free in the next release of **Tenement Safety Net**;
 - More complex enhancements, or enhancements that are of only minor benefit to other users will be quoted on and charged on a cost-recovery basis;
 - Significant new features that are unlikely to benefit other users will be quoted on and charged at \$200/hr development time

Report Limitations

Refer to **Tenement Safety Net** Overview for the limitations to the **Tenement Safety Net** email report.

Termination of License

A Licensee can cancel their annual **Tenement Safety Net** Licence at any time by sending email notification to LandTrack Systems at support@landtrack.com.au and receive a pro-rata refund of remaining annual Licence fees. The License for **Tenement Safety Net** will terminate at this point and the Licensee will no longer receive any reporting emails.

Transfer of Ownership

A Licensee cannot transfer ownership of **Tenement Safety Net** Licence to any third party.

Disclaimer

Data downloaded by LandTrack Systems' **Tenement Safety Net** software is subject to terms and conditions and licences of the different State's Mines Department's located on their websites where the **Tenement Safety Net** operational data is sourced, the Licensee by use of **Tenement Safety Net** accepts the various Mines Departments Terms and Conditions. Additionally, LandTrack Systems accepts no liability for any claims, loss or damage due to missing or inaccurate data derived from the various State Mines Departments websites.

While all due care is taken with the accuracy of **Tenement Safety Net** email reports, LandTrack Systems accepts no liability for any loss or damages incurred by incorrect information in these reports. **Tenement Safety Net** is not intended to replace other tenement management systems, nor does it present complete

information about the state of the tenements reported on. Reports are provided subject to the correct function of the different State's Mines Departments websites at the time of preparing the report.

Indemnity

The Licensee agrees to indemnify LandTrack Systems and its employers in respect of all claims, loss, damage, or injury suffered by the Licensee by use of the **Tenement Safety Net** data.

Confidentiality

LandTrack Systems agrees to maintain all confidential information, meaning any technical or business information supplied by the Licensee in connection with this License, in the strictest confidence. LandTrack Systems retains ownership of all intellectual property created that may arise from the confidential information. If an unauthorized disclosure, by inadvertence or any other manner whatsoever, LandTrack Systems will immediately inform the Licensee of the information including, but not limited to: the nature of the disclosure; to whom the information has been disclosed; when the disclosure occurred; and what actions have been taken to reduce any impact of the disclosure.

Intellectual Property

In the absence of a formal written agreement to the contrary, LandTrack Systems retains all intellectual property rights in relation to any customization, enhancements or ideas for new features and products, regardless of whether custom work is directly paid for by a client.

Change History

Version / Date	Changes

