



CODE OF CONDUCT

NOTE: RE: COMMENTARY: The commentary provided after each principle is merely to assist with the interpretation of each of the seven principles and procedures set out in the CAIP Code of Conduct. This code is voluntary for CAIP members.

1. CAIP will cooperate with all Government officials, international organizations and law enforcement authorities seeking to clarify the responsibilities for each of the different functions performed by Internet companies.

Commentary:

1.1 Although there are no Internet-specific laws at present, it is conceivable that each different service provided by Internet access and technology suppliers may attract a differing policy or legal regime. For instance, point to point communication such as email and file transfers might be treated differently by legislators and courts than services for the creation or hosting of Web sites, or for the storage and retransmission of content such as newsgroups, and on-line video or audio services.

2. CAIP members pledge to comply with all applicable laws.

Commentary:

2.1 The primary purpose of this Code is to assist CAIP members with the development and implementation of internal policies and practices to comply with existing legal standards.

2.2 Each CAIP organization may tailor its own methods to meet its particular circumstances.

3. CAIP members are committed to public education about Internet issues and technology.

Commentary:

3.1 Many current proposals for assigning liability for content and Network abuse do not correlate to the actual design and function of various Internet services. CAIP believes that a better understanding of the technology will help all Canadians understand the options available to all stakeholders (including the broad range of users, technology suppliers and policy makers).

4. Privacy is of fundamental importance to CAIP members who will respect and protect the privacy of their users. Private information will be disclosed to law enforcement authorities only as required by law.

Commentary:

4.1 CAIP members should establish internal procedures to protect personal privacy regardless of the form in which such information is stored, and taking into account the relative sensitivity of each type of information.

5. CAIP members will not knowingly host illegal content. CAIP members will share information about illegal content for this purpose.

Commentary:

5.1 The Internet is designed to route around blockages, therefore, despite any effort or step taken by a CAIP member, users who wish to obtain or publish illegal content may be able to obtain it from sources or sites outside the control of CAIP members.

5.2 Sharing information about material that has been evaluated as illegal will facilitate some preventative action.

6. Although Internet providers are unable to monitor all content, CAIP members will make a reasonable effort to investigate legitimate complaints about alleged illegal content or network abuse, and will take appropriate action.

Commentary:

6.1 Due to the impracticality of surveying content on the World Wide Web and Usenet sites, CAIP has elected to deal with content and abuse issues on the basis of a complaint-driven process.

6.2 Information about the procedures to receive and respond to complaints or inquiries established by each CAIP member, shall be made available to users. However, what constitutes appropriate action will vary depending upon the results of the investigation in 7.0 (below), and on what role the CAIP member has played in the transaction or activity at issue.

7. Prior to taking any action, upon receipt of such complaints CAIP members will:
a) conduct an internal review to determine the nature and location of the content or abuse,
and where warranted;
b) consult with legal counsel and/or outside authorities, and/or;
c) notify the content provider or abuser of the complaint, with a request for a response within seven days.

Commentary:

7.1 Notice is generally only given when the abuser is a customer of a CAIP member or the illegal content has been published by a customer of the CAIP member.

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