

ResEl Association

Internal Regulations

## 1 Preamble

The presented herein Internal Regulations aim at precisising the ResEl Association statutes (named ResEl below), located at the “École Nationale Supérieure des Télécommunications de Bretagne” (named “TELECOM Bretagne” below), and establishing the regulations that shall apply to users of the network operated by the Association.

This document does not pretend to be comprehensive about set forth rights and duties, but it aims at informing about their existence and the taken risks.

It shall apply to every members of the ResEl Association.

This document is in particular based on the computing regulations of TELECOM Bretagne (that shall apply to members of ResEl), the RENATER Acceptable Use Policy, the 88-19 Act of January 5, 1988 concerning computing fraud, the 85-660 Act of July 3, 1985 concerning software protection, the 78-17 Act of January 6, 1978 concerning information technology, data and civil liberties, the 92-597 Act of July 1, 1992 concerning Intellectual Property Code and its amendments, such as the 2006-961 Act of August 1, 2006.

“Users” here refers to any user of the network operated by the ResEl, which is referred by “network”. As to “Administrators”, it refers to any person in charge of technical administration of the network, whether he/she is an Administrative Council member or not.

## 2 Use of the network

### Article 1 : Contacting the network administrators

1 The network shall be operated by administrators who can be contacted, in case of problem dealing with the ResEl, by the following ways (in order of priority) :

- at the ResEl local in TELECOM Bretagne, during stand-by duty hours listed on the door.
- on IRC : server irc.maisel.enstb-bretagne.fr (or irc.rezosup.org from outside), channel #ResEl, where the administrators are logged in when available.
- By e-mail : [gestion@resel.fr](mailto:gestion@resel.fr). This mail shall present a precis description of the problem and shall be sent after having checked that the solution can't be found on <http://resel.fr>.

2 The users shall neither directly phone to the administrators nor visit them if they are able to use the ways described in the first paragraph of this article.

### Article 2 : Life in community

1 The data stored on any distant device (whether it is on the local network, at the school or outside) shall be considered as private, unless they are explicitly displayed as public.

2 The use of any security leak of a system in order to get access to pieces of data stored on a distant computer is therefore considered as computer hacking and liable to the criminal penalties set forth by law.

3 The users shall not attempt to top private communications, whether they are composed of e-mails, direct dialogs, or any kind of electronic communications between two devices.

4 Any attempt to take control of a device which belongs to others, whether it is on the network, at the school or outside the campus, shall be considered as an infringement, and therefore, liable to the criminal penalties set forth by law.

5 Resources are shared between every users. The use of bandwidth shall therefore remain reasonable for the comfort of other network users. Any use noticeably worsening the network performances shall be prohibited, including the abusive use of broadcasting, such as the Windows file-sharing protocol NetBIOS.

6 In case of major downloading of files in the public domain, the user shall get the agreement of an Administrative Council member.

7 Peer-to-peer computing (non exhaustive list : Edonkey, Kazaa, Bittorrent, eMule...) shall be prohibited.

8 Any commercial use of the network is prohibited.

9 Any transfer of file whose the user does not get the rights shall be prohibited.

### **Article 3 : Safety**

1 The IP address provided during the first connection shall be personal, intransferable, and linked to the physical address of the user's device. The user shall not modify it, even temporary, without an explicit agreement of an Administrative Council member.

2 Contravening the previous law means attempting to hide its identity or taking one of an other device. This kind of action shall therefore be considered as an attempt to computing fraud.

3 The user is the administrator of his/her own device. Therefore, he/she shall be responsible for any operation done, whether by him/herself or others, with it. It shall be up to him/her to have safety regulations and computing laws respected by people he enables to get access to his/her device.

4 It shall be up to the user to update his/her device against security leaks. The use of firewall and antivirus software is highly recommended.

5 Any computer hacking attempt on the user's device shall be immediately reported to the ResEl Administrative Council so that it can take the appropriate proceedings at very short notice.

6 It is highly inadvisable for the user to attempt to get access to a device if he is not certain he has the right to. Indeed, repetitive and fruitless attempts at getting access to a device may be considered as an computer hacking attempt by the administrator of the device.

### **Article 4 : Responsibility of the Association**

1 The Association shall not be held responsible for any problem dealing with the network. These problem, which are not legal requirements of the Association, are (non exhaustive list) :

- Network dysfunctions
- Data loss

2 The Association accept no responsibility concerning the use of the network. In particular, it shall not be held responsible for evil disposed users.

3 The ResEl, because of its limited resources, is not in a position to :

- Check the contents of data on the network
- Check the use of the network
- Answer at any time to the applications of users even if they are dealing with the ResEl framework for action.

#### **Article 5 : Responsibility of the user.**

1 In any case, the user shall be entirely responsible for the use of its personal connection, including uses from others.

2 The user shall be the only one responsible for the data he/she uploaded on the network from his/her device(s), their contents (including virus, Trojan horses...) and their volume.

3 In case of use of several computers on a single network plug, the responsibility of data passing through this plug shall belong to the tenant(s) of the room where the plug is. Therefore, if a disconnection happens to hit one of the tenants, it will affect every devices connected to the plug, including the others tenants' ones. This regulation is applied in studios too.

4 In case of change of device owner having the physical address registered at the ResEl, the user shall warn the ResEl.

#### **Article 6 : Respect for the human person**

1 The member of the Association shall be committed not to using the network to broadcast illegal information. In particular, he/she is committed not to broadcasting :

- violent or pornographic messages, which, by their nature, may assault respect and dignity for the human person, equality between men and women and children's and teenager's safety.
- Messages promoting crime or delinquency, or the use of illicit substances.
- Messages promoting hatred, violence, or discrimination against particularly : origins, gender, background situation, health, handicap, moral, political opinions, trade union activity, true or supposed belonging to an ethnic group, a nation, a race or a specific religion.

2 More generally, the user shall be committed to respecting the Acceptable Use Policy on the Internet (Netiquette).

#### **Article 7 : Computing and Civil Liberties**

1 The Association are in the possession of several nominative databases, reported to the CNIL (Information Technology and Freedoms Commission) which are particularly used, but not exclusively, to :

- provide an information service (directory).
- make the Association and network administration easier.

2 Information concerning the user stored in these databases may be modified, for some part of it, at <https://resel.fr/MyResEl/>, and for the other part, by sending a mail to [gestion@resel.fr](mailto:gestion@resel.fr).

3 The use outside the campus of these data and the transmission to others without an agreement from involved people shall be absolutely prohibited to any user. Any infringement of this regulation shall be liable to punishment set forth by the ResEl Administrative Council members.

### **Article 8 : Punishments**

1 In case of infringement of these Internal Regulations, the member shall be liable (in addition to the criminal penalties set forth by law) to :

- temporary or definitive deprivation of the access to one or several ResEl service(s).
- temporary or definitive disconnection from the network.
- exclusion from the Association.

2 The first use of a peer-to-peer software shall be punished by a disconnection for at least 7 days. In case of recidive, a disconnection for at least a month shall be applied. Exceptions may be granted by the Administrative Council (for files in the public domain).

3 The punishment shall first be set forth by the administrators according to the seriousness of the infringement. In case of disagreement, the choice of the punishment shall be granted to the Administrative Council.

4 Moreover, if the Administrative Council considered the infringement serious enough, the TELECOM Bretagne administration or information service will be informed and will take proceedings they will consider as appropriate.

5 Data or pieces of evidence stored by the ResEl Administrators shall be held at the disposal of administrative and judiciary authorities acting in their framework for action.

6 The list of infringements liable to punishments previously described is not exhaustive and only quotes the most frequent problems on a network. More generally, any action aiming to adversely affect an information system, to get private data without an explicit agreement of their owner or to adversely affect the standing of the ResEl or TELECOM Bretagne shall be liable to punishment set forth by the Administrative Council.

## **3 Organization of the Association**

### **Article 9 : Membership and Contribution**

1 Every scholar year, active members of the Association shall pay a contribution of 10 euros.

2 Contributions shall be paid between early December and late November. In case of registration after November 15<sup>th</sup>, the contribution shall be paid two week after the registration at most.

3 Nonpayment of membership fees in time shall cause the cease of services displayed by the ResEl until regularisation.

### **Article 10 : Resignation**

1 Any member of the ResEl, whether active or honorary member, can at any time leave the association by a simple notification to the Administrative Council. Resignation shall cause the cease of services displayed by the ResEl.

2 Membership dues already paid shall not be considered eligible for refunding in case of resignation, exclusion or death of a member.

#### **Article 11 : The Administrative Council**

1 Every Administrative Council members shall be warned about the Administrative Council meetings at least 24 hours before by mail or individual note. The agenda shall be explicitly written on convocations.

2 When the Administrative Council proceed to a vote, it shall be either vote by a show of hands or vote by secret ballot (on demand of at least one of the members).

3 When a vote by secret ballot is proceeded, ballots shall be stored for a year.

4 When a vote deals with an Administrative Council member, this person may be told to leave the assembly, and this person shall not have the right to vote.

5 Administrative Council members who cannot personally attend a meeting may be represented by another Administrative Council member through a proxy, communicated to the Administrative Council by mail or by note before the meeting. No one shall represent through proxies two different members.

#### **Article 12 : Internal Regulations modifications**

1 In accordance with the Association statues, Internal Regulations shall be proposed by the Administrative Council.

2 Internal Regulations shall be approved either by an Ordinary or Extraordinary General Assembly, or by ratifications from at least two thirds of the Associative Council members. The new Internal Regulations shall be therefore posted on line on the Association website. Active members shall then be aware by mail of its place on the website.

October 19<sup>th</sup>, 2011