

Section 77 of the Electronic Communications and Transactions Act (ECT Act) deals with take-down notices and prescribes the following formalities:

- take-down notifications must be in writing, addressed to the ISP;
- it must include full name, contact details and signed by the complainant;
- identify a right that is allegedly infringed;
- identify the material or activity that is the subject of the unlawful action;
- state the remedial action that is required by the ISP e.g. removal.
- state that the complainant is acting in good faith and that information in the take-down notification is true and correct (to the best of their knowledge).

Should N2It Solutions (PTY) LTD be served with a valid takedown notice as envisaged in the Act, in respect of any unlawful activity by you, N2It Solutions (PTY) LTD will do the following:

1. notify you of the takedown notice which has been received;
2. advise you to, if possible, remove the allegedly infringing material or cease the allegedly unlawful activity, as requested in terms of the takedown notice; and
3. takedown the services if the allegedly infringing material is not removed or the allegedly unlawful activity is not ceased, as requested.

N2It Solutions (PTY) LTD suggests that you remove the allegedly offending material or cease the allegedly unlawful activity so that N2It Solutions (PTY) LTD does not have to take down the entire service. Please be aware that should N2It Solutions (PTY) LTD take down your service it may impact all components of that service, including for example your entire website will be down and you will not be able to receive email.

Please note: N2It Solutions (PTY) LTD does not assess whether or not the material or activity in question is in fact unlawful. N2It Solutions (PTY) LTD is required by law to determine whether the takedown notice is procedurally correct and to respond to takedown notices validly issued directly or to its agent.