

# SAN JUAN CERAP | TERMS & CONDITIONS

Effective Date: 01-06-2022 (June 1st, 2022)

VATSIM, VATCAR and San Juan CERAP have a shared goal of making an online environment which serves the needs of the flight simulation and virtual air traffic control community. Whilst maintaining the network, we also provide a place for you to have a chance to make friends all across the world or unwind with other people who share the same passion as you.

The rules outlined below offer guidance for using the San Juan CERAP systems. Members are also subject to the below VATSIM policies, which override this:

- VATSIM Code of Conduct
- VATSIM Code of Regulations
- VATSIM User Agreement
- VATSIM Safeguarding Minors Policy

These rules are here as a guide which members of the community should follow. These rules protect our members but also it guides them in their behaviour so as to avoid moderation and retain access to our services.

However, San Juan CERAP reserves the right to carry out any actions deemed necessary to enforce these Terms & Conditions, the policies of San Juan CERAP, the division or the network more widely. Examples are (but not limited to) closing and/or removing any discussion or content that is unacceptable. This can be done regardless of whether the specific violation is covered in these Terms & Conditions.

Any member that is unsure of whether their actions would breach the Terms & Conditions, should use caution and consider whether a different approach would be appropriate.

Whilst the whole staff team do their best to ensure that the public use of our systems is a fun and safe medium, it is unrealistic to think we are able to vet 100% of all content posted. If you believe anything to be in violation of any of the Terms & Conditions, please use the appropriate reporting tools to bring it to our attention.

The moderation team can be contacted by email at [atm@sanjuan.vatcar.net](mailto:atm@sanjuan.vatcar.net). Any appeal relating to a specific moment of moderation must be communicated within 5 days of the decision.

## 1. Requirements

1.1 All communication which takes place on the San Juan CERAP services is governed by the rules set forth in the VATSIM User Agreement, Articles 3.1 sections A, B and C which may be viewed at [VATSIM.net](http://VATSIM.net) are relevant for you to be aware of.

1.2 Moderators are those people assigned to enforce the terms outlined here. Moderators are appointed and removed at the sole discretion of the San Juan CERAP ATM and decisions regarding appoints/removals are non-discussable with members. Administrators and Network Supervisors may also take action against individuals who are in breach of the Code of Conduct, the Code of Regulations or the User Agreement.

**Every member of VATSIM is governed by the Terms & Conditions, regardless of any position or status they may hold.**

1.3 Any verbal or written message via a channel or private message (PM), sent on any platform that is owned and/or operated by San Juan CERAP, that is believed to be in breach of the Terms & Conditions, should be brought to the attention of the Moderation Team. This is done by contacting the moderation team as detailed above. Some systems that we own and/or operate have built in reporting systems. Where these exist, they should be used in the first instance, prior to submitting an email. Members that take matters into their own hands will be treated accordingly and may themselves be subject to moderation.

1.4 Some mediums that we own and/or operate can be highly dynamic due to the pace of discussion. It can be very easy to forget the wider audience which can follow the conversation. Everyone using these mediums is advised.

1.4a Several thousand people may be able to read what you post or send, including members of the age of 13. Also, the readers include those members who come from the minorities of our community and those people who joined the division today.

1.4b Popular mediums of communication act as a shop window for the division to show the world which values we hold and how we want our community to look.

1.4c Where conversation happens at pace, moderation in these mediums may be swift, decisive and be used to defuse inappropriate content or discussions from spiralling out of control.

1.5 Members shall not post defamatory comments about specific individuals on any San Juan CERAP services. There are ways and means of dealing with these problems and publicly slandering the individuals concerned is not the correct way. Any member found to be doing this, regardless of the medium, will be disciplined as outlined in the group 3 offences section of these Terms & Conditions

1.6 Moderators may remove content in breach of the Terms & Conditions. In this case, the moderator will make reasonable efforts to inform the member of the action taken. This may contain either a written reason from the moderator explaining the removal or the Terms & Conditions clause that has been broken will be put in its place. This can sometimes be less straight-forward to achieve, depending on the medium used. Where content has been removed, without further action, there is no right to appeal, although it is subject to on-going review by the team.

1.7 Where a member has broken the Terms & Conditions seriously and intentionally, they may have their access to all San Juan CERAP services removed for a specific amount of time. In this instance, the member will be notified by email informing them of the reasons for removal.

If a member feels that disciplinary action brought upon themselves was unfair or unjust, they must contact the moderation team as detailed above. A member shall be notified of the outcome of their appeal within 5 days of the appeal being submitted. Once an outcome has been given and the member notified, there is no further right to appeal and the decision of the appeal is final. Public discussion of any appeals is an automatic right for removal.

1.8 San Juan CERAP reserves the right to modify and change the Terms & Conditions at any point without prior warning. Members will be notified when a change to the Terms & Conditions occurs.

1.9 San Juan CERAP is primarily an organisation for the promotion and delivery of an online network of pilots and air traffic controllers. All of the staff team wish to spend the minimum amount of time on moderation and issues of discipline, and the maximum amount of time making the division and the wider network a better place. We can only do this with the support of the community in how its members choose to communicate with one another.

1.10 You may be required to agree to more stringent rules in order to gain access to certain elements of San Juan CERAP services.

## **2. Group 1 – Minor Offences (Unintentional)**

All offences listed below are generally committed unintentionally. However continued breaches of any offences in this group may result in a period of suspension from San Juan CERAP Services.

### **2.1 Screenshots and Images**

On Discord, use the appropriate channel for screenshots. The use of GIFs is broadly discouraged. As a medium, this is highly likely to result in a difference of understanding between members. There may be implied (deliberate or accidental) secondary meanings also.

### **2.2 Off-topic discussions**

Our services have channels dedicated to several topics important to the running of the facility. More general channels may attract topics which are only partly relevant to aviation or the network. Staff members may advise individuals where topics are irrelevant for discussion in this medium or where a better channel exists for this topic. Failing to keep conversation on-topic often will result in action taken under this section.

### **2.3 Real-time guidance**

In some settings any staff member may give advice to individuals about how to behave in a different way, short of moderation. Follow this guidance as it is a way of gently avoiding moderation. Continuing to behave inappropriately will result in action taken under this section.

### **2.4 Swearing (VERBAL)**

San Juan CERAP Services are here in order to provide a place for members of this network to come together and communicate. Members of VATSIM vary in ages as low as 13 and therefore our community should be free of profanity and vulgar language. If the offence is a fleeting verbal use of unacceptable language you may be subject to this term. If you post content containing unacceptable language (or links containing such content) you will be subject to term 4.1.

### **2.8 Screen sharing, Streaming and Use of Video**

Members who choose to use streaming or live video functionality are held accountable for all content broadcast. Members should be aware how these features work and pay attention to (unintended) background content. We advise members to terminate this feature once the need for sharing has ended. Use of your webcam should be considered very carefully and must comply with all parts of the Terms & Conditions of the division.

### **3. Group 2 – Advertising and Spamming**

San Juan CERAP wishes to remain impartial towards other organisations and companies. Therefore, members are asked to follow the terms outlined below in regards to advertising and spamming using San Juan CERAP Services.

#### 3.1 Virtual Airlines

Promotion of virtual airlines or similar organisations is prohibited. This includes advertising staff positions, recruiting pilots, posting press releases or attempting to raise general awareness. Links to virtual airlines will be accepted however discretion should be used.

#### 3.2 Products for Sale

Members are not permitted to post links to products or direct advertisements of products for which they are profiting in any way.

#### 3.3 Spamming

Posting spam using any San Juan CERAP services is strictly prohibited. Spamming is considered the posting of unwanted or unhelpful content on a continual basis in order to advertise items for sale, link to third parties or services or forcefully and repeatedly put the same point across. This includes audio, images, video and animations as well as text.

### **4. Group 3 Offences – Major Offences**

All users of San Juan CERAP services have the right to be able to participate without feeling victimised or scrutinised by other members.

These offences likely breach other VATSIM policies.

#### 4.1 Crude, Rude or Socially Unacceptable Language

This type of language will not be tolerated while using the San Juan CERAP Services. San Juan CERAP Services are here in order to provide a place for members of this network to come together and communicate. Members of VATSIM vary in ages as low as 13 and therefore our services should be free of profanity and vulgar language. This includes posting links to content that contains this type of language.

Profanity filters will attempt to remove these kinds of words on various services; however any attempt to bypass the filter will be treated as a breach of this term.

#### 4.2 Inflammatory and/or Irrelevant Posts

San Juan CERAP does not wish to discourage healthy debate and discussion while using San Juan CERAP services, however any content that is made with the intent of arguing or “debating” in a defamatory, inflammatory and non-productive manner will not be tolerated.

#### 4.3 Sexually Explicit Material or Language

It is considered unacceptable to post images/videos or links to websites that contain sexually explicit material aimed at those 18 and over while using any San Juan CERAP services, including the use of sexually explicit language (verbal or written).

Profanity filters will attempt to remove these kinds of words on various services; however any attempt to bypass the filter will be treated as a breach of this term.

#### 4.4 Safeguarding of Minors

Members must report concerns regarding communication of a sexual nature, exploitation, abuse & harassment, radicalisation or discrimination towards minors. It is not acceptable to utilise any part of the division to discuss or imply the sexualisation of anyone below the age of consent regardless of the age of other involved parties. It is not permitted to approach or encourage members in this regard using our services. Any member who is remotely aware of any activity involving abuse of minors must report it to the Moderation Team and/or to VATSIM as outlined in VATSIM Safeguarding Minors Policy. Breach of the law can and should be reported to the police.

## 5. Group 4 Offences - Computer Misuse

Offences committed as listed below will be subject to immediate removal with no right to appeal. The member will be reported to their ISP and prevented from accessing any San Juan CERAP services indefinitely. The matter will also be passed via the VATSIM Network Supervisor team to the Board of Governors.

### 5.1 Threats and Harassment

All members are entitled to use any San Juan CERAP service without fear of violence or being the recipient of threats or harassment. Any member found to be threatening or harassing another member via any medium, will be subject to disciplinary action as outlined in this section.

### 5.2 Hacking

Any member found to be "hacking" or interfering with the operation of any of the San Juan CERAP services in any way will be subject to removal. "Hacking" is to be considered as: maliciously attempting to access any restricted areas and/or activity that interferes with the daily routine running of the San Juan CERAP services. Any member found to be "hacking" or interfering with the operation of any of the San Juan CERAP services in any way will be subject to removal. "Hacking" is to be considered as: maliciously attempting to access any restricted areas and/or activity that interferes with the daily routine running of the San Juan CERAP services. "Ethical" hacking or the utilisation of loopholes is also not permitted.

### 5.3 Illegal Activities

Members are not to discuss any illegal activities using any San Juan CERAP Services. This includes, but is not limited to, posting cracks / hacks / serials in order to avoid copyright protection. In addition, no discussion of how to download torrents and/or pirated software or discussion of how to hack or any other illegal activity is permitted.