

# Australian Certified Website™

## TERMS AND CONDITIONS

Version 2 - Updated 15/02/2010

### DEFINITIONS

- "Certification Trade Mark (CTM)" A Trademark which certifies that goods or services meet specified standards of quality and accuracy.
- "CTM Owner" The owner of the Trademark, in this case Australian Certified Website™ are the owners of the CTM.
- "Approved Certifier" The owner of the CTM, or approved persons who are responsible for ensuring that the CTM is used in accordance with the set of rules which govern its use and set the standards for certification.
- "Australian Certified Website™" We, us, the certifying body.
- "Applicant" The person applying, on behalf of a website, to become an Australian Certified Website™.
- "Approved User" The person, on behalf of a website, who have been granted permission to use the Australian Certified Website™ Gold Logo.
- "Successful Applicant" A person or company, on behalf of a website, who are successful in their application and have paid their fees.
- "Certified Website" The website attached to the application.
- "Sub-Domain" A sub-domain that belongs to an applicant's website.

### OVERVIEW

The Australian Certified Website™ Certification was established to certify websites that are operated by real people who reside and operate their websites from within Australia. Australian Certified Website™ uses public information and correspondence with website owners/representatives to determine the properties of the website including, physical location, contact information, goods or services supplied by the website, website content and other properties set out in our Terms and Conditions.

### OBJECTIVES

Australian Certified Website™ aims to showcase websites that are Australian owned and operated and meet our certification requirements. Australian Certified Website™ does not guarantee the conduct of the individual website/website owners. The certification will be removed from websites if it is reported to us that their conduct is not in accordance with our Terms and Conditions. The certification will save time for Australian consumers who are looking specifically to shop in Australia with Australian owned and operated websites.

### SCOPE

The Australian Certified Website™ Certification is only available to Australian owned and operated websites who fulfil the Certification requirements.

### WHO IS AUSTRALIAN CERTIFIED WEBSITE™

Australian Certified Website™ is a privately owned business (ABN 25 298 050 907) solely owned and operated by Jessica Urquhart, P.O Box 236 COBAR NSW 2835. We are independent of Australian Government and specific industries. The business was established for consumers who are looking specifically to shop or gain information from

Certified copy  
pursuant to section 175(2)(b)  
of the Trade Marks Act 1995

*Michael Shepe*  
Commissioner

12 Dec 2010  
Date

# Australian Certified Website™

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Australian owned and operated bodies via their website. Our website can be used as a portal for consumers who are looking for Australian Certified Website's as well as being able to identify a certified site's by the Gold Logo being displayed on their homepage.

## APPROVED CERTIFIER

The approved certifier is the person/s who assess whether a website meets the certification requirements. All Australian Certified Website™ applications are currently (as at 15<sup>th</sup> February 2010) certified by the founder, Jessica Urquhart. Jessica Urquhart has a Business Degree, formal qualifications in Business Management, Human Resources, Learning and Development and Cybercrime. When the need for more approved certifiers is required in the future, interested persons will need to formally apply for the position and receive specific training by Australian Certified Website™ prior to becoming an approved certifier.

## AUSTRALIAN CERTIFIED WEBSITE™ CERTIFICATION DETAILS

### Australian Certified Website™ Certification

Upon successful application of the Certification, approved users may use the following logo on the certified website. This does not include sub-domains unless they have been specifically included in the application. The logo may be re-sized as per individual requirements.



Logo files will be emailed to the approved user (successful applicant) along with Tax Invoice, Certification Certificate and Terms and Conditions.

## APPLICATION PROCESS

1. Only websites that comply with Australian Certified Website™ certification requirements will be approved users (successful applicants).
2. Certification requirements will only be assessed by Australian Certified Website™ authorised personnel (approved certifier).
3. Only one (1) website is allowed per application. A separate application form must be completed for each individual website.
4. Sub-domains must be listed on the application to be processed individually.
5. Applicants must accept Australian Certified Website™ Terms and Conditions before the application will be accepted.
6. Applicants must give Australian Certified Website™ permission to audit applicant's website before the application will be accepted.
7. Applicants must declare that all information provided is accurate before the application will be accepted.
8. Applicants must agree to pay their fees when their application is successful, before the application will be accepted.

## Australian Certified Website™

9. Australian Certified Website™ will process the application and perform all certification requirement checks usually within 24 hours of receiving the application.
10. An Australian Certified Website™ representative may be in contact with you during the auditing period to confirm application details.
11. If the application is unsuccessful the applicant will be given two (2) opportunities to fulfil the certification requirements before the application is denied.
12. If the application is successful a certification number will be generated by Australian Certified Website™.
13. The application will only be finalised when the certification numbers have been issued and fees paid in full. Until such time the applicant must not use an Australian Certified Website™ Gold Logo on their website or any other marketing tools. The Australian Certified Website™ certification is valid for twelve (12) months from the date that the certification was issued.
14. The approved user will be subjected to random audits of their website during the certification period.

# Australian Certified Website™

## AUSTRALIAN CERTIFIED WEBSITE™ CERTIFICATION FEES

Listed fees include GST and are in Australian dollars.

Certification Type	Duration	Cost per Application (includes GST)
Gold Certification	12 Months	\$12.00
Sub-Domain	Existing Certification Expiry Date Applies	Free

Applicants should ensure that their website complies with our Terms and Conditions prior to lodging application to avoid disappointment.

## SUCCESSFUL APPLICANT REQUIREMENTS AND CONDITIONS

1. Australian Certified Website™ logo must appear on the approved user's website homepage and must link to the dedicated page created by us - the link will be emailed to the approved user.
2. The Australian Certified Website™ logo must only appear on the website or sub-domains specified in the application and marketing tools directly associated with that site or sub-domain. The website or sub-domain is clearly listed on the Certification Certificate.
3. The Australian Certified Website™ logo can be used in any means on the site including as a standalone logo or inside a banner.
4. Australian Certified Website™ reserves the right to cancel a certification on the grounds of misuse.
5. Australian Certified Website™ audits must be carried out before issuing certification, which will only be carried out and issued by an authorised Australian Certified Website™ representative (approved certifier).
6. Certified sites may be audited at any time during the certification period by an authorised representative.
7. All successful websites and sub-domains will be listed on Australian Certified Website™ site; [australiancertified.com.au](http://australiancertified.com.au) (certified sites page) for the duration of their certification.
8. All Australian Certified Website™ certification requirements (standards) must be obeyed for the duration of the certification.
9. Successful applicants will be emailed the logo in various file types for use on their website or sub-domains and other marketing tools. The logo files must not be given to anyone else.

## WAREHOUSING STOCK

The Terms and Conditions state that stock must be distributed within Australia. If a website imports goods and stores them within Australia prior to dispatch, this is acceptable. Australian Certified Website will not accept applications from websites who drop ship their stock i.e. take the orders online, have the goods dispatched from overseas and sent directly to the customer.

## COMMUNITY SITES

# Australian Certified Website™

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Community sites such as auction sites and advertising sites must comply with Australian Certified Website™ Terms and Conditions for their site only, any internal advertising/auctions will not be covered by the certification.

## THIRD PARTY LINKS

Third-party links within an Australian Certified Website™ will not be covered by the certification, only the certified website itself.

### **RENEWAL OF AUSTRALIAN CERTIFIED WEBSITE™ CERTIFICATION**

One month prior to the certification expiry date the applicant will be invited to re-apply for a certification, this will consist of carrying out the certification requirement audit on the website (as per original application process) and either approving or denying the application. The 12 month certification was established due to ever changing websites and the need to monitor sites annually to ensure no significant changes have been made.

### **CANCELLATION OF AUSTRALIAN CERTIFIED WEBSITE™ CERTIFICATION**

If an applicant wishes to cancel their Australian Certified Website™ certification due to cessation of their website or other reasons specified they are to immediately cease using the Gold Logo and contact Australian Certified Website™ to be removed from our Certified Sites listing. The application fee will not be refunded.

### **GROUNDS OF MISUSE OF AUSTRALIAN CERTIFIED WEBSITE™ CERTIFICATION**

Websites that are granted use of the Australian Certified Website™ logo are audited and fulfil all requirements at the time of issuing the certification. If for some reason the site changes any of the contents which no longer complies with our Terms and Conditions the certification may be cancelled. A notification will be sent to the website and they will be given sufficient time to respond before the certification is either upheld or cancelled.

### **GRIEVANCE / DISPUTE PROCESS**

If persons believe that their application is wrongfully unsuccessful, or has a grievance of another nature, details of their argument must be made in writing and posted to P.O Box 236, COBAR NSW 2835, with attention to The Manager. The applicant will be given the opportunity to have their application reviewed based on their arguments. If a person believes that a website was issued a certification and does not in fact meet the certification requirements should contact us. Details of the breach should be clearly stated along with your contact details.



## CERTIFICATION REQUIREMENTS (STANDARDS) – GOLD CERTIFICATION

The following table depicts the standards that must be met, along with the Standard Terms and Conditions, before an Australian Certified Website™ Gold certification will be granted for a website or any associated sub-domains.

Standard	Details of Standard	Site Type	Must be Displayed on Website
ABN/ACN	Current ABN or ACN	Registered Business & .au sites	
Licences	State or territory licences must be displayed i.e. builder, car dealer	Relevant sites	✓
Contact methods	Reasonable means of contact required*	All sites.	✓
Feedback / complaints	Reasonable means of contact required*	All sites	✓
Australian contact	Australian telephone numbers	All sites	
Australian location	Home / Office located in Australia	All sites	
Australian warehouse	Stock must be stored and distributed from within Australia.	Selling sites	
Legitimate site	Sites must provide products or services in which the site claims	All sites	
Content	No discriminating, illegal or offensive content	All sites	
Content Compliance	Sites must comply with ACMA codes of practice including 18+ content	All sites	
Gambling Compliance	Sites must comply with IIA Gambling Act for prohibited gambling content	All sites	
Payments	Website payment are through Australian bank / merchant	Selling sites	

\* Reasonable means of contact shall include direct phone contact, suitable contact forms or a live-chat function.

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**TRADEMARK™**



# Australian Certified Website™

The Australian Certified Website™ Gold logo is protected by the Trademarks Act 1995. For more information visit;

- [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)
- [www.accc.gov.au](http://www.accc.gov.au)