

ELS-SBR Software Developer Licence Terms and Conditions

The ELS-SBR software developer kit (**SDK**) is provided to assist software developers to include, in their Nominated Programs, a facility to communicate with the ATO through the ATO's ELS-SBR channel. The SDK contains ELS-SBR Embedded Client software (**Software**) and related information, which are protected by copyright.

In these terms and conditions, a **Nominated Program** means financial and accounting software which:

- you develop principally for use by tax agents registered under the *Tax Agent Services Act 2009 (Cth)*,
- you specifically identify, and nominate, to the ATO by email to SBRServiceDesk@sbr.gov.au, and
- the ATO confirms in writing as being a Nominated Program in response to your nomination, during the period ending 30 June 2017.

Copyright licence

Subject to the following, you may (in accordance with instructions and specifications included in the SDK):

- incorporate the Software (or parts of it) in your Nominated Program (and use the SDK to do so), and
- distribute copies of your Nominated Program, incorporating the Software (or parts of it) to third parties.

Each such copy of your Nominated Program (or its packaging or associated materials) must include the end user licence set out below.

This licence does not allow you to:

- modify the Software in any way (including by removing any copyright or notice files),
 - decompile, reverse engineer, disassemble or reproduce the source code for the Software, or
 - sub-licence or distribute the SDK, in whole or part, in any way except as stated in this licence,
- unless expressly authorised in writing by the ATO. All other rights in the Software and the SDK are reserved.

This licence terminates automatically if you fail to comply with any of the terms and conditions of this licence. The laws in force in the Australian Capital Territory apply to this licence.

Other licences for the SDK or the Software

Nothing in this licence prevents or restricts the ATO from using, and allowing others to use, the SDK and/or the Software in any way. If you modify the Software, the ATO can use and allow others to use the Software as so modified whether or not this licence remains in force.

Requests for other uses of the SDK or the Software, or to make modifications to the Software, can be sent by e-mail to the SBR AUSkey Business Team at SBRServiceDesk@sbr.gov.au.

Product information

The paragraphs under the sub-heading 'Software product information' in the end user licence below apply to this licence (and also apply to the SDK in the same way they apply to the Software).

ELS-SBR Embedded Client end user licence

This financial and accounting software includes ELS-SBR Embedded Client software (**Software**) sourced from the ATO. Subject to the following, you may:

- use the Software (in unmodified form) solely as part of this financial and accounting software, and
- make copies of the Software for back-up purposes only.

All other rights in the Software are reserved. In particular, you may not (under this end user licence):

- sub-licence or distribute the Software in whole or in part,
- decompile, reverse engineer, disassemble or reproduce the source code for the Software, or
- modify the Software in any way (including by removing any copyright or notice files).

Requests for other uses of the Software can be sent by e-mail to SBRServiceDesk@sbr.gov.au.

This end user licence terminates automatically if you fail to comply with any of these end user licence provisions. The laws in force in the Australian Capital Territory apply to this end user licence.

Software product information

The ATO:

- provides the Software "as is" and without charge;
- gives no express or implied warranties (and to the full extent permitted by law excludes all statutory warranties) in relation to the Software (including as to its performance or fitness for a particular purpose); and
- will not be liable in any way for any loss or damage (including special, indirect or consequential) arising from or in connection with the Software or its use or performance.