Disclaimer, Terms of Use and Copyright Notice

1 About Samford Valley Weather

Samford Valley Weather ("**SVW**") is a privately owned, independently operated community weather and related information service based in Samford Valley, Queensland, Australia.

SVW is maintained on a voluntary basis. It is not operated as a commercial business and does not provide its information or services for profit.

Voluntary donations may be accepted to assist with the costs of operating, maintaining and developing the weather station, website, equipment and associated services. A donation does not constitute payment for a commercial service and does not create an entitlement to any particular service, level of availability, accuracy, functionality or support.

Unless expressly stated otherwise, SVW is independent of and is not affiliated with, endorsed by, or acting on behalf of the Australian Bureau of Meteorology, Queensland Fire Department, aviation authorities, emergency services, government agencies or third-party information providers whose information may be displayed or referenced by SVW.

2 General Information Only

Information provided through SVW is provided for general information and personal, non-commercial use only.

SVW may provide or display information including:

(a) local weather observations;
(b) forecasts;
(c) radar and satellite information;
(d) lightning information;
(e) weather warnings;
(f) historical and climate information;
(g) aircraft observations and flight information;
(h) local fire and emergency warnings and incident information;
(i) astronomical information;
(j) information obtained from or derived from third-party sources; and
(k) calculations, analysis and other information generated or processed by SVW.

SVW is not an official meteorological, aviation, navigation, emergency management, emergency warning or public safety service.

While reasonable efforts are made to provide useful and accurate information, SVW does not warrant or represent that information provided through the website is accurate, complete, current, continuously available or suitable for any particular purpose.

Information may be delayed, incomplete, inaccurate, unavailable or superseded as a result of sensor limitations, equipment failure, communications failure, source-data limitations, third-party service availability, software or processing errors, maintenance or other circumstances.

3 Safety-Critical Use

SVW information must not be relied upon as the sole or primary basis for decisions affecting the safety of people, animals, property, equipment, vehicles, vessels or aircraft.

Where information may affect personal or public safety, users should obtain current information directly from the appropriate official authority or professional service.

Information provided by SVW is not a substitute for professional advice, official warnings, emergency-service instructions or information provided by the relevant government authority.

4 Weather Information

Weather information displayed by SVW may include observations from the Samford Valley Weather station together with information obtained from or derived from third-party sources, including the Australian Bureau of Meteorology and other identified providers.

Local observations depend upon electronic sensors, communications systems, computers, software and other equipment. Weather observations and calculated values may therefore be affected by equipment limitations, sensor error, calibration, siting, communications problems, processing errors or equipment failure.

Forecasts, radar, satellite images, warnings and other externally sourced weather information may also be delayed, incomplete, unavailable, superseded or incorrectly processed or displayed.

SVW weather information is provided for general information only and must not be relied upon as the sole or primary source for weather warnings, emergency management, aviation, navigation or other safety-critical decisions.

For official Australian weather forecasts and warnings, users should consult the Australian Bureau of Meteorology and other appropriate authorities.

5 Lightning Information

Lightning information displayed by SVW may be obtained from or derived from Blitzortung and/or other identified lightning-detection sources.

Lightning detection is inherently subject to limitations. A lightning strike may not be detected or displayed, and a displayed strike may be delayed, incorrectly located or otherwise inaccurate.

The absence of displayed lightning does not establish that lightning is absent or that conditions are safe.

Lightning information provided by SVW is indicative and for general information only. It must not be used as the sole or primary basis for protecting people, animals, buildings, electrical or electronic equipment, or other property from lightning.

Users are responsible for obtaining appropriate official weather information and taking appropriate safety precautions.

6 Aircraft and Flight Information

Aircraft and flight information displayed by SVW is derived from received and processed radio/data observations, locally stored information and aircraft or airline reference information obtained from identified sources.

Aircraft information may be incomplete, delayed or inaccurate. Not all aircraft will necessarily be detected, identified or displayed.

Aircraft identity, registration, operator, aircraft type, flight number, callsign, altitude, position, direction, distance, passage information and other displayed attributes may be absent, outdated or incorrect.

SVW aircraft information is provided for general information only and must not be used for:

(a) aircraft navigation;
(b) air-traffic management;
(c) flight planning;
(d) operational decision-making;
(e) aviation safety;
(f) aircraft separation;

(g) surveillance or security purposes; or

(h) any other purpose where accurate or complete aviation information is required.

SVW is not an aviation authority, air-navigation service provider or air-traffic service.

Users requiring operational aviation information must obtain it from the appropriate authorised aviation sources.

7 Emergency Incident and Warning Information

SVW may display emergency warnings, incidents or related information obtained from or derived from official government, emergency-service or other identified sources.

SVW does not issue emergency warnings and is not an emergency service.

Emergency information displayed by SVW may be delayed, incomplete, unavailable, incorrectly processed or superseded by more recent information from the originating authority.

The absence of an incident or warning from SVW does not establish that no incident, hazard or warning exists.

Where SVW reproduces warning classifications or terminology established under an official warning system, those classifications remain information issued by the originating authority and are not assessments or warnings issued independently by SVW.

Emergency incident and warning information displayed by SVW is provided for general information only and must not be relied upon as the sole or primary source of emergency information or as a substitute for instructions from emergency services or government authorities.

During an emergency, users should obtain current information directly from the appropriate official authorities and follow their instructions.

For any life-threatening emergency in Australia, call Triple Zero (000).

8 Source and Currency of Information

Where practical, SVW may identify the source and/or time of information displayed on the website.

A displayed update time generally indicates the timestamp available to or recorded by SVW. It does not necessarily establish when the originating authority most recently changed the information or guarantee that no newer information exists.

Users should consult the originating provider where currency or completeness is important.

9 Third-Party Information and Data Sources

SVW may incorporate, display, transform, process or derive information from third-party data sources and services.

These may include government agencies, community information networks, aviation information sources and other data providers.

Ownership and intellectual-property rights in third-party information remain with the respective rights holders.

SVW does not claim ownership of third-party information merely because it is displayed, processed or reformatted by SVW.

Third-party information remains subject to any applicable terms, licences, copyright notices, attribution requirements and other conditions imposed by its provider.

SVW does not control and cannot warrant the accuracy, completeness, availability, continued availability or reliability of third-party information.

10 Third-Party Licensing and Attribution

SVW seeks to use third-party information in accordance with the applicable terms, licences, attribution requirements and permissions of the relevant providers.

Data sources and applicable usage conditions are reviewed before information is incorporated into SVW and, to the best of our knowledge, SVW's use of such information is consistent with the applicable conditions at the time of use.

Where attribution is required, SVW will endeavour to provide the attribution required by the applicable source or licence.

The inclusion of third-party information within SVW does not imply endorsement of SVW by the provider.

If a rights holder or data provider believes that material is being used incorrectly, without appropriate attribution, or contrary to applicable terms, they are invited to contact SVW so that the matter can be promptly investigated and, where appropriate, corrected or removed.

11 External Links

SVW may provide links to websites or services operated by third parties.

External links are provided for convenience and information only. Unless expressly stated otherwise, SVW does not control, endorse or accept responsibility for the content, availability, security, privacy practices or accuracy of external websites or services.

Users access third-party websites and services subject to the terms and policies of those providers.

12 Non-Commercial Use

Unless expressly authorised in writing by SVW, information and services provided through the SVW website are made available for personal and non-commercial use only.

No person or organisation may commercially exploit, resell, redistribute, republish, aggregate or provide a commercial service based upon SVW content, data, outputs or services without prior written permission.

Third-party information displayed by SVW remains subject to the rights and licence conditions of its respective provider. SVW does not purport to impose additional restrictions upon third-party material where SVW has no legal right to do so.

Nothing in this section overrides rights that cannot lawfully be restricted.

13 Limitation of Liability

To the maximum extent permitted by applicable law, SVW and its owner, operator, contributors, volunteers and persons involved in providing, developing or maintaining the service exclude liability for loss, damage, cost, expense, injury or claim arising from or connected with:

(a) access to or use of SVW;
(b) inability to access or use SVW;
(c) reliance upon information provided by SVW;
(d) inaccurate, incomplete, delayed, superseded or unavailable information;
(e) failure or malfunction of weather-station equipment, aircraft receivers, sensors, communications systems, servers, software or associated equipment;
(f) information obtained from or supplied by third parties;
(g) errors in receiving, processing, calculating, transforming, storing or displaying information;
(h) failure to detect or display a weather event, lightning strike, aircraft, emergency incident or warning;
(i) decisions or actions taken or not taken in reliance upon SVW information; or
(j) unauthorised, unintended or improper use of SVW information or services.

This exclusion includes, to the extent permitted by law, direct, indirect, incidental, consequential and economic loss.

SVW does not assume responsibility for the actions, omissions, decisions or conduct of a user or third party merely because that person accessed, received, reproduced or relied upon information from SVW.

Nothing in these terms excludes, restricts or modifies any guarantee, right, remedy or liability that cannot lawfully be excluded, restricted or modified under applicable law, including the Australian Consumer Law where it applies.

14 No Professional or Other Relationship

Use of SVW does not of itself create a professional, advisory, contractual, fiduciary, agency, employment, partnership, joint-venture or other relationship between SVW, its operator or contributors and a user.

Information provided through SVW does not constitute professional meteorological, aviation, emergency-management, engineering, electrical, safety, legal or other professional advice.

15 Copyright and Intellectual Property

Except for material identified as belonging to third parties, the SVW website and original SVW material are protected by copyright and other applicable intellectual-property laws.

This includes, where applicable:

(a) SVW source code;
(b) software;
(c) application architecture;
(d) processing logic;
(e) algorithms;
(f) database structures created by SVW;
(g) user-interface implementations;
(h) original documentation;
(i) original graphics;
(j) original text;
(k) data transformations and presentation created by SVW; and
(l) other original material produced for SVW.

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16 Software, Source Code and Reverse Engineering

Except where expressly permitted by applicable law or authorised in writing by SVW, a person must not:

(a) copy, reproduce, republish, distribute, sell, license or commercially exploit SVW source code or other protected software material;
(b) obtain or attempt to obtain non-public SVW source code;
(c) gain or attempt to gain unauthorised access to SVW systems, repositories, development environments or non-public software;
(d) reverse engineer, decompile, disassemble or otherwise attempt to derive non-public source code, algorithms, processing logic or internal implementation from SVW software;
(e) circumvent or attempt to circumvent technical measures intended to protect SVW software, systems or services;

(f) create or distribute an unauthorised derivative work based upon protected SVW source code;

(g) reproduce SVW software or substantial elements of its protected implementation for another website, application, product or service; or

(h) remove or obscure copyright, attribution or proprietary notices.

These restrictions apply only to the extent permitted by applicable law and do not restrict rights that cannot lawfully be excluded.

Nothing in these terms claims ownership of open-source software, third-party software or other material incorporated into SVW under its own licence. Such material remains subject to its applicable licence.

17 Automated Access, Scraping and Data Collection

Except where expressly authorised by SVW or permitted by applicable law, automated extraction, scraping or systematic collection of SVW content or data for commercial exploitation, redistribution, creation of datasets, replication of the SVW service, or development of a competing or substantially similar service is not permitted.

Normal indexing by legitimate public search engines is permitted.

This restriction does not purport to restrict access to or reuse of third-party material where the applicable third-party licence independently permits such activity.

18 Availability and Changes to the Service

SVW is provided on a voluntary basis and may be changed, interrupted, suspended or discontinued at any time.

SVW does not guarantee:

(a) continuous availability;

(b) any particular update frequency;

(c) retention of historical information;

(d) continued availability of any particular data source;

(e) continued operation of any particular feature; or

(f) support or response within any particular period.

Features, data sources and presentation may change as SVW develops.

19 User Responsibility

Users are responsible for determining whether information provided by SVW is suitable for their intended purpose.

Where accuracy, currency, completeness or safety is important, users must verify the information using appropriate official or authoritative sources before relying upon it.

Use of SVW information for a purpose contrary to an express warning or limitation on the website is at the user's own risk, subject to any rights and liabilities that cannot lawfully be excluded.

20 Governing Law

These terms are intended to operate subject to the laws applicable in Queensland, Australia.

Nothing in these terms is intended to exclude, restrict or modify a right or obligation where doing so would be unlawful.

21 Changes to These Terms

SVW may amend this Disclaimer, Terms of Use and Copyright Notice from time to time to reflect changes to the service, data sources, applicable terms or other circumstances.

The version published on the SVW website applies from the effective date shown at the beginning of the document.

22 Contact Regarding Data, Copyright or Licensing

Questions or concerns regarding:

(a) use of third-party information;
(b) attribution;
(c) copyright;
(d) licensing;
(e) inaccurate information; or
(f) material that a rights holder believes should be corrected or removed

may be directed to SVW through the contact method published on the website.

SVW will endeavour to investigate legitimate concerns and, where appropriate, correct or remove affected material.

23 Important Reminder

SVW is a voluntary community information service.

For official weather warnings, emergency information, aviation operations or other safety-critical matters, always use the appropriate official authority or professional service.

For any life-threatening emergency in Australia, call Triple Zero (000).