

I enclose an email which I have sent to ZPA's Secretary, advising him of my reasons for including my Terms of Use on the Website.

I would suggest that any of you who are thinking of producing a website on behalf of Zurich Pensioners Association needs to carefully consider what my email advises.

Kind regards

Paul

*I thought it appropriate to expand upon my reasons for taking the action which I have done today.*

*I've thought long and hard about what I have done. Had I been able to avoid this confrontation I would have done so. However, in my judgement backing down at this point would only have delayed the inevitable. I also believe that postponing this would have made the consequences more serious at a later date.*

*What has precipitated my action is xxx's decision to commit the website to containing a hyperlink for xxxt and tell me afterwards. This is a minor irritation, and I have to say that had I been asked before the commitment was made, I would've probably agreed. The problem starts with what happens after this.*

*What worries me is the possibility that if I accept that others are given power to make commitments to third parties without my agreement, I would be gradually salami'd into performing alterations which I would find it increasingly difficult to comply with. Eventually there would come a point at which I would find the decision made on my behalf to be unacceptable and refuse to comply with it.*

*The trouble is that I would be raising the issue too late. By then, my previous inaction could be construed as me having accepted that decisions by others commits me to actions promised by them.*

*Under certain circumstances, my then refusal could be construed by the party to which any promise has been made as a breach of contract. I would consequently be faced with the dilemma of complying with a commitment which I found unacceptable or alternatively face an action for damages for the contractual breach.*

*By making the terms clear now, there are two desirable outcomes. Firstly, I would be able to argue that the commitment was made by somebody who did not have the authority to make it. I would consequently be able to refer the organisation to the person who made the promise and suggest they sort the matter out between themselves.*

*Secondly, faced with the fact that they will be responsible for the consequences of failing to consult me, the person concerned will be motivated to make more-responsible decisions and are likely to consult me prior to making them.*

*Whilst I understand you may be unhappy with my action, I hope you will understand my reasoning. I am happy to comply with most of the decisions of the Executive Committee. However, this stops when they affect my wallet.*