

## ClearTalk Fair Use Policy

This policy is designed to protect the quality and reliability of the ClearTalk service. In doing so it ensures all customers do not use our services in an excessive or unreasonable manner. Clear Networks retain the right to vary the terms of the Fair Use policy at our discretion from time to time.

The Fair Use Policy applies to:

- ClearTalk Starter/Budget 'free' local and STD (untimed) calls within ClearTalk network;
- ClearTalk Standard 'free' local and STD (untimed) calls within ClearTalk network;
- ClearTalk Cap 'free' local and STD (untimed) calls within ClearTalk network and external networks. Includes up to 300 local/std calls;
- ClearTalk World 'free' local and STD (untimed) calls within ClearTalk network and external networks and untimed world flat rate charges associated with 37 specified international destinations. Includes up to 300 local and STD calls and up to 500 minutes to top 37 countries.

We may rely on our Fair Use Policy in circumstances where your usage of 'flat rate' or 'free' untimed call charges that form part of a pricing plan or promotional offer is deemed to be excessive or unreasonable.

### **Excessive Use**

Clear Networks considers excessive use to be a call duration of more than 90 minutes per call on the ClearTalk World pricing plan. And a call duration of 90 minutes per call (local or national) and/or more than 500 local and national calls per billing period (month) under the ClearTalk Cap and ClearTalk World plans.

Clear Networks monitors average call duration. Clear Networks considers excessive use where your average call duration is 3 or more times the average of our customer base.

These plans are for residential use only. If you are an excessive user we may ask you to reduce your usage of these calls. If after our request your usage continues at an excessive level we may:

- charge you our standard timed International call rate for calls made to all or any of the 37 International destinations associated with the ClearTalk World plan ;
- charge you our standard 'flat rate' for untimed local or STD calls on either the ClearTalk Cap or ClearTalk World plan;
- change your plan.

### **Unreasonable Use**

a) Without restricting what is meant by 'unreasonable' Clear Networks will supply the ClearTalk service for the purpose of you making and receiving calls on our network for your personal or business use.

b) Clear Networks consider it unreasonable use of the service if you make or receive calls on our network other than for your own personal use. We further consider it unreasonable if your actions limit the ability of others to access the networks. These actions may include and are not limited to:

- using a device that reroutes calls to/from our network or the network of another supplier
- Wholesale any service on our network
- Bridging of conference calls;
- using the ClearTalk service to link two or more communication devices together for the purposes of providing a permanent or semi-permanent circuit;
- using the ClearTalk service for any other purpose than the predominant function of person-to-person voice communication.

c) Without reducing or restricting our rights under the ClearTalk standard Terms and Conditions, where we consider your use unreasonable we may suspend your access to your chosen plan, or suspend or cancel your service. In either case we may do this immediately and without notice to you.

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