

SCHEDULE 110

Operator 0820 Calls

1. Definitions

1.1 In this Schedule 110, a reference to a paragraph or Appendix, unless stated otherwise is to a paragraph or Appendix of this Schedule 110. Words and expressions have the meaning given in Clause 1, except as shown below:

"Capital Management Fund" the fund administered by HM Treasury set up under the Public Expenditure System PES(99)17 11 August 1999 Secretariat: 270 4820 as the same may be amended from time to time;

"Citizen's Advice Bureau" a charitable generalist advice agency, operating a set of national quality standards, which is a member of the National Association of Citizens Advice Bureaux or Citizens Advice Scotland and which meets all the requirements of the appropriate membership scheme and which is managed by charity trustees within the meaning of section 97 of the Charities Act 1993;

"Eligible Public Institution" or "EPI" a Citizens Advice Bureau, a Further Education College, a Public Library, a School or a Learning Centre;

"Further Education College" in England and Wales, an institution designated from time to time under section 28 of the Further and Higher Education Act 1992 as eligible to receive funding from the Further Education Councils for England and Wales (or their successor authorities) which must provide one or both of the following:

(a) full-time education suitable for the requirements of persons over: compulsory school age who have not attained the age of 19 years; and

(b) courses of further or higher education;

in Northern Ireland, an institution recognised by the Department of Education for Northern Ireland under

article 8 of the Further Education Northern Ireland Order 1987 providing both vocational and non- vocational courses for persons aged 16 and above;

in Scotland, an institution within section 6 of the Further and Higher Education Act for Scotland 1992 which provide any programme of learning falling under section 6 of that Act, not being school education provided for persons over school age;

"Long Duration Operator 0820 Call"

an Operator 0820 Call that is not a Short Duration Operator 0820 Call;

"Learning Centre"

a learning centre set out on the list of qualifying centres managed and published by or on behalf of the Director General from time to time which will be University for Industry learning centres and 'IT for all' learning centres in receipt of funding from the Capital Modernisation Fund and which are based in not for profit public, community, or charity owned premises;

"Operator 0820 Call"

a Call originating at a Eligible Public Institution to access the Internet and other non-voice content provision services by a Calling Party dialling a number commencing with the digits 0820 followed by an Operator 0820 Service Provider's number (which sets up a Call to the Operator 0820 Service Provider);

"Operator 0820 Service Provider"

a person who has contracted with the Operator for delivery of Calls to access the Internet using telephone numbers commencing with the Number Range 0820;

"Public Library"

a library open to the general public, administered by a UK Public Library Authority, which provide services under the Public Library and Museum Act 1964;

in Scotland, a library open to the general public, administered by a UK Public

Library Authority, which provide services under the Public Libraries (Scotland) Act 1955 or any statutory modification thereof;

in Northern Ireland, a library open to the general public, administered by a UK Public Library Authority, which provide services under the Public Libraries (Ireland) Act 1920 or any statutory modification thereof;

"School"

In England and Wales, - a local education authority maintained or grant maintained school as referred to in section 505(8) of the Education Act 1996, or an independent school registered under section 464 of that Act or a special school which is neither maintained nor grant-maintained and which is approved under section 342 of that Act;

In Scotland, - public, grant-aided, self-governing or independent schools and including nursery and special schools, as referred to in section 135 of the Education (Scotland) Act 1980 or Schedule 10 of the Self Governing Schools etc. (Scotland) Act 1989; and

In Northern Ireland, - grant-aided or independent schools as referred to in The Education and Libraries (NI) Order 1986 SI 1986 no 594;

"Short Duration Operator 0820 Call"

an Operator 0820 Call, the duration of which is less than or equal to the longest Operator 0820 Call made on the KCH System for which KCH would only charge the published minimum charge taking into account any form of published discount arrangement.

2. Description of Service

- 2.1 Subject to the provisions of this Schedule 110, the Operator shall convey Operator 0820 Calls handed over from the KCH System to the appropriate terminal apparatus nominated by the Operator 0820 Service Provider, being terminal apparatus directly connected to the Operator System.

- 2.2 Operator 0820 Calls shall be included in the Traffic Forecast in accordance with Paragraph 4 of Annex 3.
- 2.3 The parties shall agree in advance all necessary technical requirements, including Call set-up and cleardown sequences, for the conveyance of Calls pursuant to this Schedule 110.
- 2.4 In providing to Eligible Public Institutions a retail 0820 service, KCH shall obtain from each Eligible Public Institution the telephone number for each Operator 0820 Service Provider for each Network Termination Point. KCH shall ensure that Calls from each Network Termination Point in an Eligible Public Institution destined solely for the appropriate Operator 0820 Service Provider shall be handed over from KCH System to the Operator System.
- 2.5 The parties shall make reasonable endeavours to agree adequate safeguards to prevent and detect fraudulent use of the Operator 0820 Calls service.
- 2.6 The Operator shall convey Operator 0820 Calls during those periods of time and at the same standard and quality of service as the Operator conveys similar Calls.
- 2.7 Each party shall correct faults which occur in its System which affect the conveyance of Operator 0820 Calls in accordance with such party's normal engineering practices. For the avoidance of doubt, neither party warrants that its System is, or will be, free from faults.
- 2.8 If there are abnormally high volumes of Operator 0820 Calls that the Operator System cannot convey, or if the Operator reasonably considers that there is evidence of fraudulent use of the Operator 0820 Calls service, KCH may apply network management controls in the KCH System or the Operator may apply network management controls in the Operator System.
- 2.9 International Calls are not conveyed pursuant to this Schedule 110.

3. Routing

- 3.1 The conveyance of Operator 0820 Calls shall be in accordance with the routing principles specified in Paragraph 6 of Annex 2.
- 3.2 Operator 0820 Calls handed over to the Operator by KCH shall be handed over at an Operator Switch Connection which is as near as reasonably practicable to the geographical location from which the Call was initially made or as otherwise may be agreed in writing by the parties.

4. Charging

- 4.1 KCH shall pay the Operator the charges for Operator 0820 Calls service specified from time to time in the Kingston Interconnection Price List.

- 4.2 KCH shall provide to the Operator, to enable the Operator to charge KCH, sufficient written information including, for the avoidance of doubt, on a monthly basis, the number of Network Termination Points (and whether PSTN or ISDN) located in Eligible Public Institutions (being Network Termination Points from which Operator 0820 Calls may be made), and for each Network Termination Point, the date of availability of the Network Termination Point and number of Operator 0820 Service Provider(s) associated with that Network Termination Point, together with for each EPI, whether such EPI has requested retail 0820 service for Daytime only, Daytime and Evenings only or Daytime, Evenings and Weekend period(s).
- 4.3 The method of payment by KCH to the Operator of the charges for Operator 0820 Calls made during period of time that each EPI has requested retail 0820 service shall be the collection by KCH of the appropriate charge from each Eligible Public Institution, which charge KCH shall forward forthwith to the Operator provided that payment has been received from the Eligible Public Institution.
- 4.4 If KCH does not charge a minimum charge for an Operator 0820 Call made during Evening and/or Weekend by a KCH Customer on the KCH System the rate for the conveyance of the Operator 0820 Calls during those times shall be the rate for a Long Duration 0820 Call specified from time to time in the Kingston Interconnection Price List.
- 4.5 If requested by the Operator KCH shall provide CLI information relating to Operator 0820 Calls at the same time as it provides the relevant Billing Information. The Operator shall use such CLI information solely for billing verification between the parties and for no other purpose.

5. Commencement

- 5.1 The Operator shall convey Operator 0820 Calls handed over from the KCH System commencing on a date to be agreed in writing by the parties.