

## **SCHEDULE 10**

### **KCH 0820 Calls**

#### **1. Definitions**

1.1 In this Schedule 10, a reference to a paragraph or Appendix, unless stated otherwise, is to a paragraph or Appendix of this Schedule 10. Words and expressions have the meaning given in Clause 1, except as shown below:

<b>"KCH 0820 Call"</b>	a Call originating at an 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 a KCH 0820 Service Provider's number (which sets up a Call to the KCH 0820 Service Provider);
<b>"KCH 0820 Service Provider"</b>	a person who has contracted with KCH for delivery of KCH 0820 Calls to access the internet for educational purposes using telephone numbers commencing with the Number Range 0820;
<b>"Capital Management Fund"</b>	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;
<b>"Citizen's Advice Bureau"</b>	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;
<b>"Eligible Public Institution" or "EPI"</b>	a Citizens Advice Bureau, a Further Education College, a Public Library, a School or a Learning Centre;
<b>"Further Education College"</b>	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;

**"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;

**"Long Duration KCH 0820 Call"**

a KCH 0820 Call that is not a Short Duration KCH 0820 Call;

**"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 KCH  
0820 Call"**

a KCH 0820 Call, the duration of which is less than or equal to the longest KCH 0820 Call made on the Operator System for which the Operator 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 10, KCH shall convey KCH 0820 Calls handed over from the Operator System to the appropriate terminal apparatus nominated by the KCH 0820 Service Provider, being terminal apparatus directly connected to the KCH System.
- 2.2 KCH 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 clear-down sequences, for the conveyance of Calls pursuant to this Schedule 10.
- 2.4 In providing to Eligible Public Institutions a retail 0820 service, the Operator shall obtain from each Eligible Public Institutions the telephone number for each KCH 0820 Service Provider for each network termination point. The Operator shall ensure that Calls from each network termination point in an Eligible Public Institution destined solely for the appropriate KCH 0820 Service Provider shall be handed over from the Operator System to the KCH System.
- 2.5 The parties shall make reasonable endeavours to agree adequate safeguards to prevent and detect fraudulent use of the KCH 0820 Calls service.
- 2.6 KCH shall convey KCH 0820 Calls during those periods of time and at the same standard and quality of service as KCH conveys similar Calls.
- 2.7 Each party shall correct faults which occur in its System which affect the conveyance of KCH 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 KCH 0820 Calls that the KCH System cannot convey, or if KCH reasonably considers that there is evidence of fraudulent use of the KCH 0820 Calls service, the Operator may apply network management controls in the Operator System or KCH may apply network management controls in the KCH System.
- 2.9 International Calls are not conveyed pursuant to this Schedule 10.

## **3. Routing**

- 3.1 The conveyance of KCH 0820 Calls shall be in accordance with the routing principles specified in Paragraph 6 of Annex 2.
- 3.2 KCH 0820 Calls handed over to KCH by the Operator shall be handed over at a KCH Switch Connection located 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 Subject to paragraph 4.3 the Operator shall pay KCH the charges for KCH 0820 Calls service specified from time to time in the Kingston Interconnection Price List.
- 4.2 The Operator shall provide to KCH, to enable KCH to charge the Operator, 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 KCH 0820 Calls may be made), and for each Network Termination Point, the date of availability of the Network Termination Point and number of KCH 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 the Operator to KCH of the charges for KCH 0820 Calls made during period of time that each EPI has requested retail 0820 service shall be the collection by the Operator of the appropriate charge from each Eligible Public Institutions, which charge the Operator shall forward to KCH provided that payment has been received from the Eligible Public Institutions.
- 4.4 If the Operator does not charge a minimum charge for a KCH 0820 Call made during Evening and/or Weekend by an Operator Customer on the Operator System the rate for the conveyance of KCH 0820 Calls during this time shall be the rate for a Long Duration KCH 0820 Call specified from time to time in the Kingston Interconnection Price List.
- 4.5 If requested by KCH the Operator shall provide CLI information relating to KCH 0820 Calls at the same time as it provides the relevant Billing Information. KCH shall use such CLI information solely for billing verification between the parties and for no other purpose.

#### **5. Commencement**

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