

CONFIDENTIAL – DELIVERED BY HAND



Telecom Vanuatu Ltd
P O Box 146
Lini Highway
Port Vila,
Vanuatu

9th May 2016



Received
9/05/16
Time 4:45pm



Digicel

Digicel (Vanuatu) Limited
Ellouk Plateau
Port Vila
Vanuatu

Mrs Dalsie Baniala,
Telecommunications and Radiocommunications Regulator
P O Box 3547
Port Vila

Dear Madam,

Re: Interconnection Agreement between TVL and Digicel –Review of Current Interconnection Prices/Rates between Digicel and TVL

In accordance with section 28 of the Telecommunications and Radiocommunications Regulation Act 2009 ('the Act'), please find attached a copy of the negotiated Interconnection amendment agreement that was signed by TVL and Digicel on 5th May 2016.

The Amendment means that the Interconnection rates/charges are effectively reviewed as per the Agreement from 26th June 2016. Hence the requirements of the notes pursuant to the current Schedule E -Charges of the Interconnection Agreement between the Parties.

If you require any additional information please do not hesitate to contact the writers.

Yours Sincerely

Ibrahim Nooreh Din Mahamed
Chief Executive Officer
Telecom Vanuatu Limited

Yaser Maher
Chief Executive Officer
Digicel Vanuatu) Limited

INTERCONNECTION AMENDMENT AGREEMENT 2016

This Agreement is made this 5th day of May 2016

BETWEEN: Digicel Limited (Vanuatu) ("Digicel")

And: Telecom Vanuatu Limited ("TVL")

each a "Party" and together the ("Parties").

RECITALS

- A. The Parties have entered into a Network Domestic Interconnection Services Supply Agreement that has a Commencement Date of 1 April 2014 ("Domestic Interconnection Agreement").
- B. The Parties now wish to review and amend the Charges for the Network Domestic Interconnection Service Supply Agreement to be provided under this Agreement in accordance with Section 25 and Schedule E of the said Agreement.

IT IS HERBY AGREED

1. Schedule E Charges of the Network Domestic Interconnection Agreement shall, with effect from 27th June 2016, be replaced with the Schedule E Charges annexed to this Agreement.

Signed on behalf of Digicel (Vanuatu) Limited

Signature:



Name: YASER MAHER

Position: Chief Executive Officer

Signed on behalf of Telecom Vanuatu Limited

Signature:



Name: IBRAHIM NOOREH DIN MAHAMED

Position: Chief Executive Officer

SCHEDULE E

CHARGES

The charges for the Network Interconnection Service to be provided under this Agreement and which each party agrees to pay are as follows:

Type of Chargeable Network Interconnection Services		Chargeable Network Interconnection Service rate	
(a)	All Chargeable Digicel Fixed Calls and all Chargeable TVL Fixed Call	During the period from the Commencement Date up to but not including 26 June 2016	3.3
		During the period from the Commencement of 26 June 2016 up to but not including 27 June 2017	5.0
		During the period from the Commencement of 27 June 2017 up to but not including 1 April 2018	5.9
(b)	All Chargeable Digicel Mobile Calls and all Chargeable TVL Mobile Calls	During the period from the Commencement Date up to but not including 26 June 2014	6.5
		During the period from 26 June 2014 up to but not including 26 February 2015	6.3
		During the period from 26 February 2015 up to but not including 26 October 2015	6.1
		During the period from 26 October 2015 up to but not including 1 April 2018	5.9
(c)	All Chargeable Toll Free Calls that originate from a Digicel Fixed Number or a TVL Fixed Number	During the period from the Commencement Date up to but not including 26 June 2016	3.3
		During the period from the Commencement of 26 June 2016 up to but not including 27 June 2017	5.0
		During the period from the Commencement of 27 June 2017 up to but not including 1 April 2018	5.9

(d)	All Chargeable Toll Free Call that originate from a Digicel Mobile Number or a TVL Mobile Number	During the period from the Commencement Date up to but not included 26 June 2014	6.5
		During the period form 26 June 2014 up to but not including 26 February 2015	6.3
		During the period from 26 February 2015 up to but not including 26 October 2015	6.1
		During the period from 26 October 2015 up to but not including 1 April 2018	5.9
(e)	All Chargeable Digicel SMS Messages and all Chargeable TVL SMS Messages	No Charge, (i.e. "bill and keep)". The bill and keep arrangement referred to in this Schedule has been established on the basis of the pre-existing relationship and circumstances existing between the parties in the relation to text message termination.	

Notes:

1. All charges are in Vatu
2. All Charges referred to in (a) and (b) accrue on a per second basis being 1/60th of the per-minute charge payable for each second of the Duration of the Chargeable Mobile Call and Chargeable Fixed Call.
3. For the avoidance of doubt, Chargeable Mobile Call and Chargeable Fixed Calls will be charged for the full period of the Call.
4. The pricing in this Schedule, other than the price for the provision of SMS termination in either the TVL Network of the Digicel Network, applies during the period form the Commencement Date until the Expiry Date up to but not including 26th June 2016. The parties will, no late than 26 April 2016, commence negotiations to review the prices, other than the price, other than the price for the provision of SMS termination in either the TVL Network or the Digicel Network, to apply from 26 June 2016 up until the Expiry Date.
 - (a) If either party wishes changes to be made to the pricing in this Schedule that would apply from 26 June 2016 until the Expiry Date, they will notify the other party (with a copy to the Regulator).
 - (b) This notice may be given no earlier than 26 February 2016 and no later than 26 April 2018. If no such notice is given by either party then the prices that are in force on 25 June 2016 shall remain in full force and effect until the Expiry Date.
5. In the event the parties exercise their rights as mentioned at 4 above –the amended pricing as provided in this Schedule shall apply during the period from 26 June up to but not including 27 June 2018.