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**Annexure II : Charges and Charging Principles**

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Charges and Charging Principles**

**Charges and Charging Principles for Network Facilities and Network Services**

1. General
  - 1.1 These Sections in Annexure II sets out the type of Charges and charging principles for the Facilities and Services provided by CT Sabah to the Access Seeker.
2. Type Of Charges
  - 2.1 In consideration of the Access Provider's obligations in the provision of the Facilities and Services in the Access Agreement Access Seeker shall pay to Access Provider the following Charges:
    - 2.1.1 The recurring Charges including rental Charges shall commence to be payable from the date Service is provided, and shall be paid according to the Billing Period elected by the Access Seeker in the Service Order Form and payments shall be made in advance on or before the payment periods.
  - 2.2 In relation to rental Charges, Access Seeker shall also be liable to pay any government taxes (including sales tax) relevant to the Service provided it is legally required to be paid by the Access Seeker. Where applicable such taxes shall be added to the invoice and shall be paid to CT Sabah at the same time as the relevant invoice is settled in accordance with Section 2.1 above.
  - 2.3 In relation to the One –Time Charges for each Service, Access Seeker shall pay the Charges no later than the Ready For service Date or Handover Date, which ever is relevant
  - 2.4 All amounts payable by Access Seeker pursuant hereto shall be paid in full free and clear of all bank or transfer charges imposed by the Access Seeker bank(s) to such account(s) as CT Sabah may by notice to Access Seeker designate without reduction for any deduction or withholding for or on account of any tax, duty or other charge of whatever nature imposed by any taxing authority. If Access Seeker is required by law to make any deduction or withholding from any payment hereunder, Access Seeker shall pay such additional amount to CT Sabah so that after such deduction or withholding the net amount received by CT Sabah will be not less than the amount CT Sabah would have received had such deduction or withholding not been required. Access Seeker shall make the required deduction or withholding, shall pay the

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amount so deducted or withheld to the relevant governmental authority and shall promptly provide CT Sabah with evidence of such payment.

- 2.5 Any type of Charges chargeable to the Access Seeker shall be determined and made known to the Access Seeker before the commencement of the Service and shall not be changed for the duration of the Service period unless mutually agreed between the Operators or unless provided otherwise in the Access Agreement.

3. Charging Principle on Rental

- 3.1 The rental Charges for Domestic Network Transmission Service are charged according to the link from end-to-end of the Facilities or Services.

3.1.1 In relation to Domestic Network Transmission Service the rate of charge for rental are based on the following factors:

- (a) Capacity of the Bandwidth Services;
- (b) Cable distance of the link in the Service;
- (c) Geographical location of the link in the Service; and
- (d) Required Service Availability for the link in the Service

- 3.2 The rental Charges for Infrastructure Sharing are charged according to the type of Infrastructure Sharing provided to Access seeker. The rental rate shall be based on the following factors:

- (a) Size of the Shared Space;
- (b) Geographical location the Shared Space;
- (c) Type of utilities requirement at the Shared Space; and
- (d) Height of the Shared Space in the case of Tower Space

4. Charging Principle on One-Time Charges

One-Time charges are installation charges, interconnect charges and supervision charges which may be charged to the Access Seeker in relation to the Service provided to the Access Seeker and such charges may vary from case to case depending on the extend and complexity of the work involved for the installation, interconnection or supervision work related thereto. Supervision charges are charged according to the number of times that supervision work is required of CT Sabah or its contractor or agent on the works to be conducted by the Access Seeker at the site of the Shared Space.

5. Charging Principle for Service Outside CT Sabah's Existing Network Topology

Any request for Service located outside of CT Sabah's existing Network Topology and subsequently provided to the Access Seeker shall be subject to other charges including third party charges, if any.

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6. Cancellation Charges

If Access Seeker cancels a confirmed order for a Service, Access Seeker shall be liable to pay CT Sabah cancellation charges.

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