



# BUSINESS SERVICES AGREEMENT VARIATION

## VARIATION AGREEMENT 7

### YOUR DETAILS

**Name** Data Action Pty Ltd (you or your)  
**ABN** 32 008 102 690  
**Address** Level 1, 151 South Terrace Adelaide SA 5000


### OUR DETAILS

**Name** Telstra Corporation Limited (ABN 33 051 775 556) (we, us or our)  
**Address for Notices** General Manager, Contract Management  
Locked Bag 6502, Sydney NSW 2001  
**Fax Number** 1300 886 281

- A. The parties entered into a Business Services Agreement for the provision of telecommunication services dated 30 June 2014, as varied (**Agreement**).
- B. The parties agree that from the date this Variation Agreement is signed by the last party, the Agreement will be varied in accordance with the terms of this Variation Agreement. Subject to the variations, the Agreement will continue in full force and effect.
- C. Terms used in this Variation Agreement have the same meaning as terms defined in the Agreement.

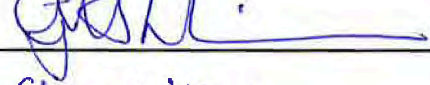
### AGREED BY YOU

Signed for you by your authorised representative:

Signature  Date 22/4/16  
Print Name Karl Grant Position Chief Executive Officer

### AGREED BY US

Signed for us by our authorised representative:

Signature  Date 28/4/16  
Print Name Glen Winkler Position General Manager SA/NT

The terms of the Agreement are varied as follows:

CLAUSE	VARIATION
Agreement Terms- Clause 17.2	Clause 17.2 in the Agreement is replaced with the following new clause 17.2 – 17.2 The minimum Spend per Quarter for all Data Services set out in Schedule 3 – Data Services, Schedule 4- Data Services (GWIP& Ethernet Campus), Schedule 6- Managed Data Networks (MDN) and Schedule 12- Additional Data Services is \$1,176,215.00
Schedule 3 – Data Services, Attachment 1 – Pricing, Business IP – Ethernet (CBD/Metro) Access Speeds up to 1Gbps	All references to Business IP - Ethernet (CBD/Metro) (Access Speeds up to 1Gbps) pricing and price lists are deleted from Schedule 3 – Data Services.
New Schedule 12 – Additional Data Services	The attached Schedule 12 – Additional Data Services is added to the Agreement.

## SCHEDULE 12 – ADDITIONAL DATA SERVICES

**SERVICE START DATE:** From the date we provision the Service as notified to you or from the date you start using the Service, whichever is earlier

**SERVICE SCHEDULE TERM:** 36 months

### SERVICE TERMS

#### 1 SERVICE DESCRIPTION

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1.1 The Data Services are the services described in this Service Schedule.

#### 2 PRICING

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- 2.1 All prices for the Data Services and any other fees are the applicable Our Customer Terms prices, unless otherwise set out in this Service Schedule.
- 2.2 The prices and discounts set out in this Service Schedule will be effective from implementation into our billing systems.
- 2.3 All prices set out in this Service Schedule are GST exclusive, unless otherwise stated.
- 2.4 If there is an inconsistency between any provision in this Data Service Schedule and any provision in any Service Schedule the provision in the Service Schedule for that Service will apply to the extent of the inconsistency.

#### 3 TERM AND TERMINATION

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3.1 This Service Schedule begins on the Service Start Date and continues for the Service Schedule Term unless terminated or renewed.

#### EARLY TERMINATION CHARGE

- 3.2 If during the Service Schedule Term a Service is terminated or cancelled for any reason other than for our material breach, we may charge you any waived Service charges and an amount calculated as follows:

$$A \times B \times 25\%$$

"A" = the average Service charges paid or payable each month by you for the Service up to the date of termination or cancellation.

"B" = the number of months (or part of a month) remaining in the Service Schedule Term.

You acknowledge that this amount is a genuine pre-estimate of the loss we are likely to suffer.

#### 4 DEFINITIONS

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4.1 In this Service Schedule, unless otherwise stated:

**Base Price** means the GST exclusive price set out in Our Customer Terms for the Service before applying any Flexi-Plan or other discount plan described in Our Customer Terms, and excludes any weekend rates, pricing packages, spot specials, capped calls or other promotional offers.

**First Year** means the 12 month period up to but not including the first anniversary of the Service Start Date.

**Quarter** means each full 3 calendar month period commencing on 1 July, 1 October, 1 January, and 1 April in any year.

**Second Year** means the 12 month period immediately following the First Year.

**Spend** means the GST exclusive amount of money that we bill you.

## Att 1 to Schedule 12 - Pricing

SERVICES	PRICING																				
<p><b>Business IP</b> is an Internet Protocol based data network solution comprising IP connectivity and one or more of the following standard connections for each site:</p> <ul style="list-style-type: none"><li>• Telstra Business IP ADSL Service, an asymmetrical digital subscriber line (ADSL) service ("ADSL site service");</li><li>• Telstra Business IP Ethernet Lite Service, an Ethernet Lite (Business DSL) service ("Ethernet Lite site service");</li><li>• Telstra Business IP Frame Relay Service, a Frame Relay service ("Frame Relay site service"); or</li><li>• Telstra Business IP Ethernet Service, an IP MAN service ("IP MAN site service").</li><li>• Telstra Business IP Broadband (NBN) service, a NBN service ("Broadband (NBN) site service")</li></ul>	<table><tr><th colspan="2">Standard Installation Fee</th></tr><tr><td></td><td>For the 12 months from the date the last party signs Variation Number 7, Price List attached as Att 2 to Schedule 12 less</td></tr><tr><td>Business IP Ethernet Single Uplink/Dual Access/Fully Redundant CBD Metro Zone Access Speeds up to 1Gbps</td><td>100%</td></tr><tr><td>Business IP Ethernet Single Uplink Urban Zone Access Speeds up to 1Gbps</td><td>100%</td></tr><tr><td>Business IP Ethernet Single Uplink Regional Zone Access Speeds up to 1Gbps</td><td>100%</td></tr></table> <p><b>Conditions:</b></p> <ul style="list-style-type: none"><li>• The connection charges above do not include any charges relating to any cabling and any other equipment that is required to connect from the Network Boundary Point to your equipment.</li><li>• If you request us to relocate this Business IP connection charges set out in the Price List attached will apply.</li><li>• Installation discount applies to standard installations only</li></ul> <table><tr><th colspan="2">Monthly/Annual Site Service Fee</th></tr><tr><td></td><td>Price List attached as Att 2 to Schedule 12 less</td></tr><tr><td>Business IP - Ethernet Single Uplink/Dual Access/ Fully Redundant CBD/Metro Access Speeds up to 1Gbps</td><td>60%</td></tr><tr><td>Business IP – Ethernet Single Uplink Urban Zone</td><td>45%</td></tr><tr><td>Business IP – Ethernet Single Uplink Regional Zone</td><td>15%</td></tr></table>	Standard Installation Fee			For the 12 months from the date the last party signs Variation Number 7, Price List attached as Att 2 to Schedule 12 less	Business IP Ethernet Single Uplink/Dual Access/Fully Redundant CBD Metro Zone Access Speeds up to 1Gbps	100%	Business IP Ethernet Single Uplink Urban Zone Access Speeds up to 1Gbps	100%	Business IP Ethernet Single Uplink Regional Zone Access Speeds up to 1Gbps	100%	Monthly/Annual Site Service Fee			Price List attached as Att 2 to Schedule 12 less	Business IP - Ethernet Single Uplink/Dual Access/ Fully Redundant CBD/Metro Access Speeds up to 1Gbps	60%	Business IP – Ethernet Single Uplink Urban Zone	45%	Business IP – Ethernet Single Uplink Regional Zone	15%
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<p><b>IP Solutions</b> is an Internet Protocol based data network solution that is designed according to your requirements. An IP Solution consists of at least one IP</p>	<table><tr><th colspan="2">Connection Charge</th></tr><tr><td></td><td>For the 12 months from the date the last party signs Variation Number 7, Base</td></tr></table>	Connection Charge			For the 12 months from the date the last party signs Variation Number 7, Base																
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SERVICES	PRICING	
Networking Service and may also include value added services.		Price less
	IP Solution	100%
	<p><b>Conditions</b></p> <p>Monthly Network Service Fee</p> <ul style="list-style-type: none"> <li>If you have an existing or subscribe to a Telstra IP WAN network and IP connectivity to Internet Direct or an Internet Gateway, we will waive the Monthly Network Service Fee. However, if at any time during the contract term, your existing IP connectivity to Internet Direct is cancelled or terminated for any reason, a Monthly Network Service Fee of \$416.66 per month will apply for the remainder of the contract term.</li> <li>If you do not have an existing or subscribe to a Telstra IP WAN network and IP connectivity to Internet Direct or an Internet Gateway, a Monthly Network Service Fee of \$416.66 per month will apply. Please note that regardless of the number of Site Services you purchase under this agreement, you are only required to pay the Monthly Network Service Fee once per IP WAN network.</li> </ul>	

## Att 2 to Schedule 12 - Business IP - Price List

(All prices in this Price List are GST exclusive and current as at 1 November, 2012.)

### TELSTRA BUSINESS IP - ADSL

Standard Installation		
Site Access Speed		
256/64K	\$150.00	
512K/128K	\$150.00	
1.5M/256K	\$150.00	
512K/512K	\$150.00	
High Speed ADSL	\$150.00	
Monthly Site Service Fees		
Site Access Speed	Standard	Dynamic
256/64K	\$160.00	\$185.50
512K/128K	\$216.00	\$253.80
1.5M/256K	\$315.40	\$372.52
512K/512K	\$315.40	\$372.52
High Speed ADSL	\$345.00	Not Available
Fee for Service		
Any additional work done on your Premises to install any part of the service	Fee for service as quoted at time of installation	
Non standard installation & connection applies to difficult locations, terrain, dwelling unit obstacles or commercial premises	Fee for service as quoted at time of installation	
Fee for Service Additional Management Services		
Simple Software Reconfiguration Changes	\$20 per 15 minutes or part thereof	
Complex Software Reconfiguration Changes	\$45 per 15 minutes or part thereof	
Network Design Consultancy	\$200 per hour or part thereof (minimum charge of \$200 applies)	
Supply of Network Data or Audit	\$20 per 15 minutes or part thereof	

### TELSTRA BUSINESS IP - ETHERNET LITE (BUSINESS DSL)

Standard Installation	
Site Access Speed	
128K	\$600
256K	\$600
512K	\$600
1M	\$600
1.5M	\$600
2M	\$600
3M	\$600
4M	\$600
5M	\$600

<b>Standard Installation</b>	
<b>Site Access Speed</b>	
6M	\$600
8M	\$600
10M	\$600

<b>Monthly Site Service Fees</b>		
<b>CBD</b>		
<b>Site Access Speed</b>	<b>Standard</b>	<b>Dynamic</b>
128K	\$378.00	\$539.00
256K	\$552.00	\$735.00
512K	\$831.00	\$1,050.00
1M	\$1,256.00	\$1,530.00
1.5M	\$1,661.00	\$1,988.00
2M	\$2,067.00	\$2,447.00
3M	\$2,850.00	\$3,305.00
4M	\$3,355.00	\$3,855.00
5M	\$3,672.00	\$4,313.00
6M	\$3,884.00	\$4,618.00
8M	\$4,413.00	\$5,381.00
10M	\$5,092.00	\$6,166.00
<b>Metropolitan</b>		
<b>Site Access Speed</b>	<b>Standard</b>	<b>Dynamic</b>
128K	\$378.00	\$539.00
256K	\$552.00	\$735.00
512K	\$831.00	\$1,050.00
1M	\$1,256.00	\$1,530.00
1.5M	\$1,661.00	\$1,988.00
2M	\$2,067.00	\$2,447.00
3M	\$2,850.00	\$3,305.00
4M	\$3,355.00	\$3,855.00
5M	\$3,672.00	\$4,313.00
6M	\$3,884.00	\$4,618.00
8M	\$4,413.00	\$5,381.00
10M	\$5,092.00	\$6,166.00
<b>Urban</b>		
<b>Site Access Speed</b>	<b>Standard</b>	<b>Dynamic</b>
128K	\$506.00	\$661.00
256K	\$711.00	\$885.00
512K	\$1,030.00	\$1,232.00
1M	\$1,504.00	\$1,749.00
1.5M	\$1,959.00	\$2,245.00



2M	\$2,408.00	\$2,734.00
3M	\$3,305.00	\$3,690.00
4M	\$3,880.00	\$4,300.00
5M	\$4,888.00	\$5,204.00
6M	\$5,560.00	\$5,806.00
8M	\$6,312.00	\$6,646.00
10M	\$7,007.20	\$7,899.00
Regional		
Site Access Speed	Standard	Dynamic
128K	\$506.00	\$661.00
256K	\$711.00	\$885.00
512K	\$1,030.00	\$1,232.00
1M	\$1,504.00	\$1,749.00
1.5M	\$1,959.00	\$2,245.00
2M	\$2,408.00	\$2,734.00
3M	\$3,305.00	\$3,690.00
4M	\$3,880.00	\$4,300.00
5M	\$4,888.80	\$5,204.00
6M	\$5,560.00	\$5,806.00
8M	\$6,312.00	\$6,646.00
10M	\$7,007.20	\$7,899.00
Multicast		
Access Bandwidth	Monthly Charge	
256K	\$107.00	
512K	\$189.00	
1M	\$285.60	
2M – 10M	\$517.40	
Fee for Service		
Any additional work done on your Premises to install Ethernet Lite access	Fee for service as quoted at time of installation	
Non-standard installation & connect	Fee for service as quoted at time of installation.	
Fee for Service Additional Management Services		
Simple Software Reconfiguration Changes	\$20 per 15 minutes or part thereof	
Complex Software Reconfiguration Changes	\$45 per 15 minutes or part thereof	
Network Design Consultancy	\$200 per hour or part thereof (minimum charge of \$200 applies)	
Supply of Network Data or Audit	\$20 per 15 minutes or part thereof	

#### TELSTRA BUSINESS IP - FRAME RELAY

<b>Standard Installation</b>	
<b>Site Access Speed</b>	
128K	\$1,500
256K	\$1,500

512K	\$1,500
1M	\$1,500
1.5M	\$1,500
2M	\$1,500

Monthly Site Service Fees		
Metropolitan		
Site Access Speed	Standard	Dynamic
128K	\$670.00	\$845.00
256K	\$1,010.00	\$1,223.00
512K	\$1,460.00	\$1,724.00
1M	\$1,910.00	\$2,224.00
1.5M	\$2,585.00	\$2,975.00
2M	\$3,260.00	\$3,726.00
Regional		
Site Access Speed	Standard	Dynamic
128K	\$1,285.00	\$1,493.00
256K	\$1,920.00	\$2,063.00
512K	\$2,760.00	\$3,095.00
1M	\$4,200.00	\$4,657.00
1.5M	\$4,580.00	\$5,070.00
2M	\$4,960.00	\$5,483.00
Multicast		
Access Bandwidth	Monthly Charge	
256K	\$107.00	
512K	\$189.00	
1M	\$285.60	
2M	\$517.40	
Fee for Service		
Any additional work done on your Premises to install Frame Relay access	Fee for service as quoted at time of installation	
Non-standard installation & connect	Fee for service as quoted at time of installation.	
Fee for Service Additional Management Services		
Simple Software Reconfiguration Changes	\$20 per 15 minutes or part thereof	
Complex Software Reconfiguration Changes	\$45 per 15 minutes or part thereof	
Network Design Consultancy	\$200 per hour or part thereof (minimum charge of \$200 applies)	
Supply of Network Data or Audit	\$20 per 15 minutes or part thereof	

#### TELSTRA BUSINESS IP – ETHERNET

Standard Installation				
Service	CBD	Metro	Urban	Regional