

SPECIAL TARIFF TERMS AND CONDITIONS

SPECIAL TARIFF TERMS AND CONDITIONS

PART A (Item 100)

For the purposes of this Tariff:

"2-800 Number" is a local Tollfree Number.

"AUP" means the Acceptable Use Policy issued and updated by C&W from time to time, which is available on the C&W website or upon written request of C&W.

"Account" means a record of the Service or portfolio of Services provided by C&W to the Customer, including associated billing and usage information.

"Agent" includes a C&W contractor or any other third party hired by C&W in connection with the provision of a Telecommunications Service.

"Agreement" is a binding contract between the Customer and C&W for the provision of Services.

"Application Form" is the document that a prospective Customer may be required to complete and submit to C&W in order to obtain Service(s).

"Authority" or "ICTA" is the Information and Communications Technology Authority.

"Bandwidth" means the amount of information that can be carried in a given time period (usually a second) over a Fixed Line or wireless communications link.

"Basic Telecommunications Service" is a Telephone Service where access to the PSTN is made via a Fixed Line.

"Basic Telecommunications Services Change to Existing Service Form" is the C&W document to be used by Customers wishing to make changes, including notifying C&W of changes to the Service Address, to their Basic Telecommunications Services and Optional Services.

"Bill" is the document sent to the Customer by C&W, usually monthly, that sets out the rates and charges payable to C&W.

"Bundles" or "Bundle Packages" are Services that include two or more other Services under a single rate structure.

"Business Customer" means a Customer who C&W reasonably believes is not a Residential Customer including any Customer who uses Services or rents Equipment at a Service Address that falls within one or more of the following categories:

- a) a bank, office, store, condominium, hotel, restaurant or any other place of a business nature;
- b) a boarding house with more than five (5) rooms available for rent, a college, club, school, library, church, hospital or a private or public institution;
- c) any location in respect of which a sign, a listing in a Telephone Directory, title or any other name associated with the Service Address, indicates a trade, occupation or profession;
- d) any residential property where the Customer has no regular business telephone service and the use of the Services by the Customer, members of his/her household or his/her guests is more of business than private nature as might be indicated by any information circulated or advertised through radio, newspapers, handbills, circulars, business cards, etc;
- e) in general, where the substantial use of the Services is for the use of a business, profession or occupation rather than personal.

"Business Services" are Services used by Business Customers.

"Cable and Wireless" means the C&W affiliates operating in the Caribbean.

"Call" or "Telephone Call" means the set-up, holding and ending of a transmission path established through a Central Office for conveyance of voice, data and Internet Messages.

"Call Charges" are charges for Calls.

"Calling Party" is the person who initiates a Call.

"Call Plan" is a package of Services that the Customer subscribes to.

"C&W" is Cable & Wireless (Cayman Islands) Limited;

"Central Office" means C&W's premises which house local switching equipment that routes Calls to and from Customers and users.

"Customer" means a person or legal entity that purchases a Service pursuant to the terms of this Tariff, and includes a Business Customer or a Residential Customer.

"Customer Apparatus", "Customer Equipment" or "Apparatus" means any Telecommunications equipment, or other equipment, which is not provided by C&W to the Customer.

"Data Service" is a Telecommunications Service that transports signals through the emission, transmission or reception of sounds, images, signs, signals, data or messages other than real-time voice communications.

"Direct Debit" is an automatic bill settlement arrangement with a participating bank.

"Domestic Carrier" means an Overseas provider of domestic services in an Overseas location.

"Directory Services" means the compilation and provision of a published telephone directory, Internet listing and/or a public telephone enquiry and ancillary services.

"Effective Date" means the date on which a C&W Service is made available to the Customer, whether the Service is used or not, or such other date as may be indicated on the Application Form.

"Emergency Services" means fire, police or ambulance services.

"Equipment" means a Telephone Line, any Telecommunications apparatus, and all other equipment supplied by C&W to the Customer for the provision of any Service.

"FCC" is the Federal Communications Commission, the regulator of interstate and international telecommunications, radio and television services in the United States.

"Features" are value added Services bundled as a standard element of a Service.

"IDD Calls" or "International Direct Dial Calls" are Calls that originate in the Cayman Islands and terminate Overseas or originate Overseas and terminate in the Cayman Islands.

"Installation" means the process of installing a new Service, or transferring an existing Service from one Service Address to another.

"Installation Charges" means the charges payable by the Customer for installation and connection of a Service.

"Internet" is a large collection of networks linked together using, as the basis for communications, Internet Protocol (IP) or any protocol amending or replacing IP.

"Internet Protocol" or "IP" is the method by which data are sent from one computer to another on the Internet.

"Internet Service" means a Service provided pursuant to Part F of this Tariff.

"ITFS" is International Toll-free Service.

"ITU" is a civil international organization established to promote standardized telecommunications on a worldwide basis.

"kbps" means kilobits per second, a unit of measure of Bandwidth.

"LAN" or "Local Area Network" is a network located at the Customer's Service Address that enables computers and other devices to communicate with each other.

"Licence" means the ICT Licence issued to Cable & Wireless (Cayman Islands) Limited under Part III of the Information and Communications Authority Law, 2002.

"Licensee" means a person to whom a licence is granted by the ICTA under Part III of the Information and Communications Authority Law, 2002.

"Local Call" is a Call initiated in the Cayman Islands that terminates in the Cayman Islands.

"Maintenance" means action taken to keep Equipment or the Network in a working condition or to restore it to service. It includes inspection, testing, servicing and repair.

"Mbps" means Megabits per second, a unit of measure of Bandwidth.

"Message" is any information encoded in a form suitable for transmission by any means of communication.

"Mobile Network" means C&W's analogue and/or digital mobile communications system.

"Mobile Service" is a Telephone Service that uses C&W's Mobile Network.

"Normal Working Hours" means 8:00 am to 4:45 pm Monday to Thursday and 8:00 am to 4:00 pm Friday (except public holidays).

"Order" is a Customer's or a prospective Customer's application for Service(s).

"Order Acceptance" means the point in time when C&W confirms that Equipment is available to provide the Service and, where applicable, the prospective Customer has satisfied credit requirements.

"Optional Services" are value added Services available with another Service but charged for separately.

"Overseas" means all geographic locations outside of the Cayman Islands.

"Payphones" or "Pay Telephones" are Equipment that provide Telephone Services and are equipped with a device for collecting coins or deducting amounts from prepaid or credit cards in payment for Telephone Service.

"Price Lists" means the rates for rental and other charges set out in this Tariff or other C&W price lists for Services, including Services that C&W does not provide pursuant to this Tariff.

"PSTN" stands for "Public Switched Telecommunications Network."

"Reconnection" is the method by which Service is restored after being disconnected for non-payment, or upon a Customer's request.

"Residential Customer" means a Customer who is not a Business Customer

"Residential Services" are Services used by Residential Customers.

"Service" or "Telecommunications Service" is a Telephone Service, Internet Service, Data Service, Mobile Service and/or other service, including the means by which C&W determines to provide the Telephone and/or other services, which the Customer has ordered from C&W.

"Service Address" means the address (or any subsequent address if the Customer moves) at which Equipment is installed and/or to which Services are provided.

"Service Charges" means C&W's recurring charges for providing Services and/or Equipment to the Customer.

"Service Start Date" is the date that C&W begins providing Services to the Customer.

"Sister Islands" means the islands of Little Cayman and Cayman Brac.

"Special Installation Charges" means the charges payable by the Customer if C&W provides Special Installation Services.

"Special Installation Services" are non-standard installation services that may be necessary for C&W to provide the Customer with Service(s).

"System" or "Network" means C&W Telecommunications facilities used to provide Telecommunications Services.

"Tariff" means Cable & Wireless (Cayman Islands) Limited's General Tariff.

"Telecommunications" means any form of transmission, emission or reception of signs, text, images, and sounds or other intelligence of any nature by wire, radio, optical or other electromagnetic means.

"Telecommunications Carrier" is a company that provides Telecommunications Services.

"Telephone Directory" is a published compilation of Customer names, Customer Service Addresses, and Customer telephone numbers.

"Telephone Numbers" are ten digit numbers allocated by the Authority and assigned to specific Customers, and which are used to route Messages to a network termination point, Customer, user or item of ICT equipment in the provision Telephone Service in the Cayman Islands.

"Telephone Line" or "Fixed Line" is a circuit between the Customer's Service Address and C&W's Central Office.

"Telephone Service" means a two-way Telecommunications Service involving direct, real-time voice communications between two or more natural persons.

"Term" is the period of time that the Customer agrees to subscribe to the Service(s).

"Tollfree Call" is a Call in which Usage Charges are borne by the Customer to whom the Tollfree Number has been assigned and not by the Calling Party.

"Tollfree Number" is a distinctive Telephone Number that identifies a Service as being free of charge to the Calling Party.

"Usage Charges" are charges not covered by Service Charges, Installation Charges or Special Installation Charges, and include Call Charges.

"Users" are persons authorized by Customer's to use their Services.

"UIFN" is a Universal International Freephone Number and is allocated and managed by the ITU.

"Voice over IP" is Telephone Service or voice communications provided using Internet Protocol.

"Web Hosting" is the housing, serving and maintaining of one or more Web Sites.

"Website" is a related collection of World Wide Web files.

"Working Day" means any day from Monday to Friday, excluding public holidays in the Cayman Islands.