



10 May 2022

Hello,

Service Termination Charge waiver for premises lost due to flooding

As a result of the recent national disaster, with widespread flooding across the east coast of Australia in particular, there may be some Premises that have been condemned and/or are no longer inhabitable.

We understand that in these difficult circumstances an end-user customer may wish to terminate their **nbn**[®] service. **nbn** will support an end-user customer’s decision to terminate their **nbn**[®] service at a Premises that is condemned and/or uninhabitable for a period of greater than 6 months, due to any flood event between 25 February and 30 April 2022, by waiving any Termination Charges incurred under the Supply Agreement listed below.

How to claim a waiver of Termination Charges

If, as a result of terminating an **nbn**[®] service, your organisation incurs Termination Charges, **nbn** will waive the Termination Charges subject to:

- **nbn** being satisfied that the Premises is condemned and/or uninhabitable for a period of greater than 6 months due to any flood event between 25 February and 30 April 2022 inclusive; and
- You reaching out in writing to your account team on or before 5.00pm AEST on 20 May 2022 to request the waiver, identifying the address and LOCID of the relevant Premises.

nbn may, in its absolute discretion, reject any claim and when requested by **nbn**, your organisation must cooperate with **nbn** to validate any claim submitted.

Termination Charges means the following:

Supply Agreement

Agreement	nbn [®] Service	Charges
Wholesale Broadband Agreement – nbn[™] Enterprise Ethernet - Price List Clause 1.1(c)	Enterprise Ethernet	Early Termination Payments

This document does not form part of any Wholesale Broadband Agreement or any Standard Form of Access Agreement for the purposes of Part XIC of the Competition and Consumer Act 2010 and does not vary any rights or obligations of a party under a Wholesale Broadband Agreement.



How will the nominated site be assessed?

To have the waiver applied, a **nbn** Field Technician will attend the nominated site and confirm that the Premises is condemned and/or likely to be uninhabitable for greater than 6 months. The site assessment may take a couple of weeks to complete depending on Field Services personnel available in the area of the nominated site.

General

The waiver set forth in this letter, is a one-time waiver, applicable only to the date range specified and shall not be construed to be a waiver of Termination Charges under the Supply Agreement for future flooding events.

Unless otherwise specified in this letter, capitalised terms used in this letter have the meanings given to those terms in the Supply Agreement.

Further Information

If you have any questions, please contact your **nbn** Account Team.

Yours sincerely,

A handwritten signature in black ink that reads 'J. Witter'. The signature is written in a cursive, flowing style.

Jane Witter

General Manager Wholesale Supply