



Think Mobile Pty Limited

ABN 33 110 992 151

STANDARD AGREEMENT
FOR THE SUPPLY OF
3G/GSM AND SATELLITE MOBILE SERVICE

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Contact Think Mobile customer care on **1300 2 THINK (1300 2 84465)**

or visit our web site at www.thinkmobile.com.au

National Relay Number

133 677

Translating & Interpreting Service (TIS)

131 450

PART A – SERVICE DESCRIPTION

1. GENERAL INFORMATION

(a) The Service

The Think Mobile service is a 3G/GSM or Satellite Service which You acquire from Think Mobile. Think Mobile provides the 3G/GSM Services using the Vodafone Wholesale Network for the Think Mobile Swift 3G network option, or the Telstra Wholesale Network for the Think Mobile Classic 3G network option (the Service Network). Think Mobile provides the Satellite Services using the Thuraya Mobile Satellite Service Network.

The 3G/GSM Service is available You within the coverage area of the Vodafone Wholesale Network for the Think Mobile Swift 3G network option, or within the coverage area of the Telstra Wholesale Network for the Think Mobile Classic 3G network option. The Satellite Service is available You within the coverage area of the Thuraya Mobile Satellite Service Network.

To use the full coverage and capabilities of the Think Mobile Swift 3G network option, You must have a handset capable of accessing GSM Services at 900/1800 MHz, and 3G Services at 850MHz/2100MHz. To use the full coverage and capabilities of the Think Mobile Classic 3G network option, You must have a Classic 3G capable SIM, and a handset capable of accessing GSM Services at 900/1800 MHz, and 3G Services at 850MHz/2100MHz. To use the full coverage and capabilities of the Think Mobile Satellite Service, You must have a handset or device capable of accessing the Thuraya Mobile Satellite Service Network.

If You are using a Classic GSM only capable SIM, You will only be able to access GSM services, notwithstanding the capabilities of Your handset. To access the full capabilities of the Classic 3G service, You will need to upgrade Your SIM to a Classic 3G SIM, and ensure You are using a compatible handset.

2. THE 3G/GSM SERVICE

(a) General information on 3G/GSM Service

The 3G/GSM Service provides You with access to a public mobile telecommunication service using either the Vodafone Wholesale Network for the Think Mobile Swift 3G network option, or to the Telstra Wholesale Network for the Think Mobile Classic 3G network option, and can be used by You to make and receive voice calls to and from:

- a) telephones connected to Australian telecommunications networks, including Australian PSTN networks, calls to Free and Local Rate Numbers, and Australian mobile networks to which the Service Network is able to terminate calls;
- b) calls to special numbers used to provide special services such as operator services, Value Added Services, and connection to Special Calls such as maritime, remote and satellite services; and
- c) international direct dialled numbers.

The 3G/GSM Service is subject to interconnection arrangements between the Service Network and the relevant operator of the network with which the called number is associated.

3. THE SATELLITE SERVICE

(b) General information on the Satellite Service

The Satellite Service provides You with access to the Thuraya Mobile Satellite Service Network, and can be used by You to make and receive voice calls to and from:

- d) telephones connected to Australian telecommunications networks, including Australian PSTN networks, calls to Free and Local Rate Numbers, and Australian mobile networks to which the Service Network is able to terminate calls;
- e) calls to special numbers used to provide special services such as operator services, Value Added Services, and connection to Special Calls such as maritime, remote and satellite services; and
- f) international direct dialled numbers.

The Satellite Service is subject to interconnection arrangements between the Service Network and the relevant operator of the network with which the called number is associated.

4. VALUE ADDED SERVICES AND SPECIAL CALLS

The following Value-Added Services are available with the Service.

(a) Operator Services:

- calls to emergency services: by dialling Triple Zero (000) or 112 within Australia, You will be connected straight through to emergency services - emergency calls made from outside Australia may require different numbers, please check with Think Mobile customer care on 1300 2 THINK (1300 2 84465);
- network problem reporting: to report any difficulties or faults with the Service Network, dial Think Mobile customer care on 1300 2 THINK (1300 2 84465) from within Australia (free call when using the Service) and +61 1300 2 84465 for calls made when using International Roaming from outside Australia (charged call).

(b) Value Added Services and Special Calls

Once Connected to the Service, You may have access to Think Mobile's Value Added Services and Special Calls, which are divided into calls to certain numbers.

(i) Think Mobile Swift 3G - Call Options

If You have Think Mobile's approval, You may call:

- maritime, remote and satellite services;
- 19XX numbers;
- 15XX numbers (otherwise excluding 1500, 1505, 1512, 1513, 1540, 1571 and 1575); and
- international direct dialled numbers.

(ii) Think Mobile Swift 3G - Value Added Services

Value Added Services associated with the Think Mobile Swift 3G network option are a suite of answering and message services available with the 3G/GSM Service. These Value Added Services include:

- Voicemail: You can divert Your calls to voicemail and dial 121 to retrieve voicemail messages (dial +61414121121 from outside of Australia);
- Calling Line Identity: this default service allows You to identify an incoming caller before You answer the call when used with compatible handsets. To permanently de-activate the service dial Think Mobile customer care on 1300 2 THINK (1300 2 84465). To de-activate on a call-by-call basis dial 1831 before the called number;

- Call Barring: this service is a security option which allows incoming and/or outgoing Calls to be barred. For assistance with this service, call Think Mobile customer care on 1300 2 THINK (1300 2 84465);
- Call Forwarding: this service allows Customers to forward Voice Calls to Your mobile number to another domestic Australian telephone number;

Please note that Think Mobile is not obliged to, and does not maintain a record of a Your voicemails once they have been deleted.

These Value Added Services can be used as required without incurring a monthly subscription fee. You only pay for the services actually used. Rates for using voicemail services are indicated in the Call Plan.

(iii) Think Mobile Classic 3G - Call Options

If You have Think Mobile's approval, You may call:

- maritime, remote and satellite services;
- 19XX numbers; and
- international direct dialled numbers.

(iv) Think Mobile Classic 3G - Value Added Services

Value Added Services associated with the Think Mobile Classic 3G network option are a suite of answering and message services available with the 3G/GSM Service. These Value Added Services include:

- Voicemail: You can divert Your calls to voicemail and dial 121 to retrieve voicemail messages (dial +61424212121 from outside of Australia);
- Calling Line Identity: this default service allows You to identify an incoming caller before You answer the call when used with compatible handsets. To permanently de-activate the service dial Think Mobile customer care on 1300 2 THINK (1300 2 84465). To de-activate on a call-by-call basis dial 1831 before the called number;
- Call Barring: this service is a security option which allows incoming and/or outgoing Calls to be barred. For assistance with this service, call Think Mobile customer care on 1300 2 THINK (1300 2 84465);
- Call Forwarding: this service allows You to forward Voice Calls to Your mobile number to another domestic Australian telephone number;

Please note that Think Mobile is not obliged to, and does not maintain a record of Your voicemails once they have been deleted.

These Value Added Services can be used as required without incurring a monthly subscription fee. You only pay for the services actually used. Rates for using voicemail services are indicated in the Call Plan.

(v) Think Mobile Satellite - Call Options

If You have Think Mobile's approval, You may call:

- maritime, remote and satellite services;
- international direct dialled numbers.

(vi) Think Mobile Satellite - Value Added Services

Value Added Services associated with the Think Mobile Satellite network option are a suite of answering and message services available with the Satellite Service. These Value Added Services include:

- Voicemail: You can divert Your calls to voicemail and dial +61414121121 to retrieve voicemail messages;
- Calling Line Identity: this default service allows You to identify an incoming caller before You answer the call when used with compatible handsets. To permanently de-activate the service dial Think Mobile customer care on 1300 2 THINK (1300 2 84465). To de-activate on a call-by-call basis dial 1831 before the called number;
- Call Barring: this service is a security option which allows incoming and/or outgoing Calls to be barred. For assistance with this service, call Think Mobile customer care on 1300 2 THINK (1300 2 84465);
- Call Forwarding: this service allows Customers to forward Voice Calls to Your mobile number to another domestic Australian telephone number;

Please note that Think Mobile is not obliged to, and does not maintain a record of a Your voicemails once they have been deleted.

These Value Added Services can be used as required without incurring a monthly subscription fee. You only pay for the services actually used. Rates for using voicemail services are indicated in the Call Plan.

(c) Think Mobile Swift 3G - Vodafone Branded Services

Vodafone Branded Services are available to You, but may be withdrawn at any time by Think Mobile. Vodafone Branded Services include:

- 1-2-3 Directory Assistance: by dialling 123 from a mobile phone in 3G/GSM Mode connected to the Vodafone Wholesale Network, a Vodafone assistant will provide help and assistance at any time.
- 1-2-3 Directory Assistance with THRUconnect: by dialling 123 for directory assistance with THRUconnect, the Vodafone operator will look up the number and offer to connect the call straight through. No redialling is necessary. For overseas directory assistance, dial 1225. THRUconnect is not available for Free and Local Rate Numbers, international direct dial numbers or calls made outside the Vodafone Wholesale Network.
- 1-2-3 Information Services: provides up to date information regarding sport, entertainment, accommodation in most areas.

(d) Think Mobile Classic 3G - Telstra Branded Services

Telstra Branded Services are available to You, but may be withdrawn at any time by Think Mobile. Telstra Branded Services include:

- Sensis 1234: by dialling 1234 from a mobile phone in 3G/GSM Mode connected to the Telstra Wholesale Network, a Sensis assistant will provide help and assistance at any time.
- Call Connect 12456: by dialling 12456 for directory assistance with Call Connect, the Telstra operator will look up the number and offer to connect the call straight through. No redialling is necessary. For overseas directory assistance, dial 1225. Call Connect is not available for international direct dialled numbers or calls made outside the Telstra Wholesale Network.

(e) Customer Service

For any enquiries regarding the Service, You can call Think Mobile customer care on 1300 2 THINK (1300 2 84465) from any fixed or mobile phone (free call when using the Service). Think Mobile customer care staff are available between the hours of 7:30 am to 7:00 pm AEST Monday to Friday, 8:30 am to 5:00 pm AEST on Saturday, or as otherwise indicated from time to time on our website at www.thinkmobile.com.au/contact for general service and billing enquiries.

(f) 3G/GSM Coverage

There are certain restrictions on 3G/GSM Service coverage in addition to the restrictions set out in Part A. Think Mobile provides You with up to date information about the coverage of the Vodafone Wholesale Network throughout Australia for the Think Mobile Swift 3G network option on its website at www.thinkmobile.com.au/info/coverageswift3G, or up to date information about the coverage of the Telstra Wholesale Network throughout Australia for the Think Mobile Classic 3G network option on its website at www.thinkmobile.com.au/info/coverageclassic3G.

To use the full coverage and capabilities of the Think Mobile Swift 3G network option, You must have a handset capable of accessing GSM Services at 900/1800 MHz, and 3G Services at 850MHz/2100MHz. By enabling roaming on your compatible handset, you may gain domestic roaming access to the Vodafone Regional Network coverage which uses part of the Optus mobile network in the 80% to 96% population coverage areas. To use the full coverage and capabilities of the Think Mobile Classic 3G network option, You must have a Classic 3G capable SIM, and a handset capable of accessing GSM Services at 900/1800 MHz, and 3G Services at 850MHz/2100MHz.

If You are using a Classic GSM only capable SIM, You will only be able to access GSM services, notwithstanding the capabilities of Your handset. To access the full capabilities of the Classic 3G service, You will need to upgrade Your SIM to a Classic 3G SIM, and ensure You are using a compatible handset.

Before Connecting a 3G/GSM Service provided by Think Mobile, You must first check that You have coverage from the relevant Service Network at the locations where You wish to use the 3G/GSM Service. If You do not have access to the Internet, You can contact Think Mobile customer care on 1300 2 THINK (1300 2 84465), or an Authorised Dealer for up to date coverage information.

Within certain coverage areas, some local conditions could prevent or interfere with mobile phone reception. Such conditions may include basement carparks, lifts, buildings, vegetation, mountains and road cuttings. There may also be interferences to the Service in buildings or other objects which block the signal to the Service Network, or due to maintenance or downtime on the Service Network.

(g) Satellite Coverage

There are certain restrictions on Satellite Service coverage in addition to the restrictions set out in Part A. Think Mobile provides You with up to date information about the coverage of the Thuraya Mobile Satellite Service Network on its website at <http://www.thinkmobile.com.au/think-mobile-plans/satsleeve-coverage>.

To use the full coverage and capabilities of the Think Mobile Satellite Service, You must have a handset or device capable of accessing the Thuraya Mobile Satellite Service Network.

The Satellite Service requires the antenna connected to the handset or device to have a clear view of the sky pointing generally to the north west of locations within Australia. Within certain coverage areas, some local conditions could prevent or interfere with mobile phone reception. Such conditions may include basement car parks, lifts, buildings, vegetation, mountains and road cuttings. There may also be interferences to the Service in buildings or other objects which block the signal to the Service Network, or due to maintenance or downtime on the Service Network.

(h) Getting Started with Think Mobile

Connection to the Service requires the activation of a SIM, which when inserted into a handset or device activates the handset or device to the Service Network. Your contract with Think Mobile commences on the activation of the SIM. Full details on activating the SIM are provided at the point of purchase. The SIM remains Think Mobile's property and must be returned on request.

Once Connected to the Service, You are offered:

- the use of a mobile phone number;
- fault rectification during Think Mobile's business hours;
- Customer care services between the hours of 7:30 am to 7:00 pm AEST Monday to Friday, 8:30 am to 5:00 pm AEST on Saturday, or as otherwise indicated from time to time on our website at www.thinkmobile.com.au/contact;
- access within Australia to the Vodafone Wholesale Network for the 3G/GSM Service with the Think Mobile Swift 3G network option, or to the Telstra Wholesale Network for the 3G/GSM Service with the Think Mobile Classic 3G network option; or to the Thuraya Mobile Satellite Service Network for the Satellite Service;
- access to Think Mobile's Value Added Services as provided with the relevant Service Network option (where available); and
- for a limited time until withdrawn, access to certain Vodafone Branded Services with the Think Mobile Swift 3G network option, or access to certain Telstra Branded Services with the Think Mobile Classic 3G network option.

5. CALL TYPES AND CHARGES

There are a number of different Call Types and Value-Added Services available with the Service.

(a) Categories of Charges

There are 5 general categories of charges for the Service:

- Connection / Reconnection charges;
- monthly access charges;
- Call charges;
- Value Added Services and Special Calls; and
- other charges.

All charges are subject to change. All prices are quoted including GST. Actual charges may vary on your statement as charges are rounded to the nearest cent before GST is included.

In some circumstances business and other organisations may be entitled to claim an input credit tax on GST paid. Please refer to your financial adviser for details.

- **Connection / Reconnection Charges**

When Connecting or Reconnecting to Think Mobile, Customers may be required to pay a Connection fee. From time to time, Think Mobile may have offers which reduce or remove the Connection / Reconnection fee. Customers should consult the relevant Call Plan to determine whether a Connection / Reconnection fee is payable.

- **Monthly Access Charges**

A monthly access fee is for the costs associated with accessing the Service Network, including access to the Value Added Services and Special Calls.

For the period from Connection until You commence Your first full billing cycle, monthly access fees will be billed on a pro rata basis. Monthly access fees are payable for each full monthly billing cycle in advance. Call charges are billed at the end of each billing cycle in arrears.

- **Call Charges**

Customers will be charged only for successfully connected Voice Calls. For example, there is no charge for Voice Calls to an engaged number, however Voice Calls that are successfully connected are charged regardless of the quality of that Voice Call. Voice Calls are charged from the time the Call is answered at the number requested. Flagfall is charged on most Voice Calls.

Voice Calls are charged per minute (or part thereof) unless another billing increment is specified in the Call Plan for that specific Call Type. All Call Rates and charges are subject to rounding from three decimal points to two decimal points. Calls made on the Vodafone Regional Network are charged at the same rate as Swift 3G calls in Your Call Plan.

Most international direct dial and Special Calls are charged per minute (or part thereof) unless another billing increment is specified in the Call Plan for that specific Call Type. Flagfall is charged on most international direct dial and Special Calls.

Messaging Call Types are charged on successful submission of the message, regardless of whether the message is actually delivered, as these services are store and forward services and there are many factors outside of the control of Think Mobile which may affect delivery, including the availability of the message recipient and the operation of any third party networks.

Data Call Types are charged for the use of Data services, regardless of the direction of usage (i.e. both data uploads and data downloads usually incur Call charges). Data Call service charges may be incurred in addition to the charges for other Call Types, where those other Call Types rely on Data services for their operation.

Think Mobile may waive any charge in its absolute discretion. Charges for all Call Types are Your responsibility contractually as You hold the Agreement with Think Mobile for the Service, irrespective of whether those Calls were made by You or another person.

- **Calls to Value Added Services and Special Calls**

Calls made to Value Added Services and Special Calls are charged as per the rates advertised in the relevant Call Plan.

- **Other Charges**

In certain circumstances, Think Mobile will charge You additional charges. These charges are subject to change by Think Mobile at any time in its sole discretion.

Additional charges include (but are not limited to):

- bill reprint fee (\$6.00 per reprint): where You request that another copy of the bill is printed;
- change mobile number fee (\$20:00 per change): where You request a change to their mobile number. Think Mobile will not charge You a change mobile number fee in circumstances where You have a genuine need for a different mobile number outside the Your control (for example, to avoid unwelcome or threatening calls);
- dishonoured cheque fee (\$15.00 per payment): where Your payment to be collected by Think Mobile has been rejected by Your financial institution, Think Mobile may charge a fee to recover the administrative costs of pursuing payment;
- early termination fee (calculated as the sum of the remaining unpaid access fees for the agreed minimum Contract Term, and if You have selected a handset payment plan, the sum of any outstanding handset payment plan fees): this fee is incurred where You Disconnect prior to the expiry of the agreed minimum Contract Term;
- handset payment plan fee; where You have selected a handset payment plan as part of Your service, You will normally pay a handset payment plan fee per month over a handset payment plan period as set out in the Call Plan;
- late payment fee (\$15.00 per month): where You do not pay Your monthly bill by the due date, Think Mobile may charge a late payment fee to recover the administrative costs of pursuing payment;
- paper bill fee (\$2.00 per account per month): where You choose to receive your bill by print and post instead accessing your bill via Think Mobile's secure online Selfcare site;
- Reconnection fee (\$12.00 per Service): where You request that Your Service is Reconnected within two (2) weeks of Disconnection, and Think Mobile in its sole discretion consents to the Reconnection of the Service. Think Mobile will not charge a Reconnection fee if the Service was Disconnected due to any error or failure by Think Mobile;

- replacement SIM fee (\$20.00 per SIM): where You request the replacement of Your SIM card in circumstances where the SIM card is determined by Think Mobile not to be faulty (for example, where the SIM has been lost or damaged by You);
- transfer of ownership (\$20.00 per transfer): where You request that the ownership of the Service is transferred to another person; and
- unbarring fees (fees vary according to Think Mobile's rules): where the Service has been barred previously (whether at Your request or by Think Mobile) and You request that it be unbarred. Call Think Mobile customer care on 1300 2 THINK (1300 2 84465) for details. Think Mobile will not charge an unbarring fee if the Service was barred due to any error or failure by Think Mobile.

Think Mobile reserves the right to require You to pay a security deposit before being Connected, or to enable International Roaming, or to enable access to some Special Calls. The security deposit may be applied by Think Mobile against any outstanding fees and charges for the Service should You fail to pay any due amounts.

(b) Charging Periods

For the Service the same rate for Calls applies at all times unless explicitly stated otherwise for a specific Call Type set out in the Call Plan.

(c) Call Plans

The standard Call Plans offered by Think Mobile in connection with the supply of the Service generally consist of:

- a Connection charge;
- a monthly access charge; and
- Call charges.

Full details of the terms and conditions for the Call Plan are set out in Part B, and on Think Mobile's website at www.thinkmobile.com.au. Charges are inclusive of GST (where applicable) and are subject to change.

(d) International Roaming

International Roaming is only available to You if Think Mobile first approves Your access to this capability based on credit criteria.

If You are granted access to International Roaming, You will be charged at the rate levied by the overseas carrier plus a Think Mobile charge. All incoming Calls while roaming, including without limitation Voice, Messaging and Data Call Types also incur these International Roaming charges.

To activate International Roaming and for information on Call Rates please apply online at <http://www.thinkmobile.com.au/support-centre/international-mobile-roaming/> or contact Think Mobile customer care on 1300 2 THINK (1300 2 84465) at least 3 days prior to departure. A security deposit may be required. International Roaming charges are GST-free.

International Roaming is expensive, and You should only request access to International Roaming if You have the financial capacity to pay for the services You use, and You diligently monitor Your inbound and outbound Voice, Messaging and Data Call activity to avoid high charges.

(e) GST

- (a) The consideration payable for any Taxable Supply of any goods, services or other things under this Agreement is inclusive of any GST.
- (b) The GST will be charged at the GST Rate.
- (c) If at any time after 1 July 2000, the GST Rate is amended, then the consideration payable for any Taxable Supply of any goods, services or other things under this Agreement will be adjusted to give effect to that variation from the date of the variation's imposition.

PART B – THINK MOBILE CALL PLANS

The Critical Information Summary (CIS), prepared in accordance with Chapter 4 of the TCP for each of the Think Mobile Call Plans, can be downloaded from our website at www.thinkmobile.com.au/info/infodownloads, or alternatively by contacting Think Mobile customer care on 1300 2 THINK (1300 2 84465), or by email to mail@thinkmobile.com.au.

Detailed information about the current Call Rates for international direct dialled Calls, Value Added Services, and Special Calls for a Call Plan is available at www.thinkmobile.com.au/plans, or alternatively by contacting Think Mobile customer care on 1300 2 THINK (1300 2 84465), or by email to mail@thinkmobile.com.au.

IMPORTANT NOTICE

The Call Rates for international direct dialled Calls, Value Added Services, and Special Calls for a Call Plan are subject to variation by Think Mobile at any time in its sole discretion. International direct dialled Calls, Value Added Services, and Special Calls for a Call Plan are generally subject to third party input costs outside the control of Think Mobile, and it is a term of each Call Plan that the Call Rates for these Call Types can be varied by Think Mobile at any time.

International direct dial and premium service Special Calls can be barred on request to Think Mobile at any time. To bar these services, You can contact Think Mobile customer care on 1300 2 THINK (1300 2 84465), or by email to mail@thinkmobile.com.au.

The Call Rates for International Roaming are subject to exchange rate variations, and so whilst an estimate of the costs for inbound and outbound Calls from overseas networks can be made prior to activating International Roaming, the actual cost of those Calls can vary significantly. International Roaming charges are set by the overseas network, and as such the International Roaming charges can vary significantly between networks notwithstanding the fact that the different networks operate in the same locations in the overseas country. You can normally manually select an International Roaming network using the network selection feature available in Your handset.

Special Calls involving premium services are expensive, whether You are making voice calls to premium service numbers, or You are using messaging to and from premium service numbers. Many premium services charge You to receive content to Your handset, which in some circumstances may be set up on a regular subscription basis. Data charges may apply in addition to any premium services charges. If You wish to avoid premium service charges, please contact Think Mobile to have premium service barred from your Service.