

16. NETWORK CHANGES

16.1 Subject to Clauses 16.2 to 16.4 (inclusive), in the event that a Telecom ROC wishes or is required to make any change to that Telecom ROC's Network which makes it necessary for a change to be made to the requirements of the PTC Specifications and also makes it necessary for changes to be made to the Service Operator's Network, the Principal ROC shall serve on the Service Operator the following notices at the following intervals and times:

16.1.1 no later than 12 months prior to the date when the change in that Telecom ROC's Network will take effect, notice setting out in as much detail as practicable the expected changes to that Telecom ROC's Network and the expected date of such changes;

16.1.2 no later than 6 months prior to the date when the change in that Telecom ROC's Network will take effect, notice setting out the draft specification of the proposed changes to that Telecom ROC's Network and the proposed date of such changes;

16.1.3 no later than 3 months prior to the date when the change in that Telecom ROC's Network will take effect, notice setting out the final specification of the changes to that Telecom ROC's Network and the effective date and time of such changes.

After each notice is served on the Service Operator under Clauses 16.1.1 and 16.1.2, the Principal ROC shall liaise with the Service Operator with respect to the expected changes or proposed changes (as the case may be) to enable the Service Operator to familiarise itself with the expected changes or proposed changes (as the case may be) and plan accordingly. The change shall become effective at any time on or after the date and time mentioned in the notice under Clause 16.1.3.

16.2 Subject to Clauses 16.3 and 16.4, in the event that a Telecom ROC is of the reasonable opinion that a change to that Telecom ROC's Network is required as a matter of urgency for the effective continued operation of that Telecom ROC's Network or any other network Connected thereto of any kind or description including the Service Operator's Network and such change:

16.2.1 makes it necessary for a change to be made to the Service Operator's Network; and

16.2.2 makes it necessary for a change to be made to the requirements of the PTC Specifications;

the Principal ROC shall give to the Service Operator as much notice of the required change, as, in the reasonable opinion of the Principal ROC, is possible, having regard to the urgency of the condition and the risks to the effective continued operation of the relevant network in delaying the change. Such notice shall be in lieu of any notice which may have otherwise been required under Clause 16.1 (or may have otherwise been agreed under Clause 16.3 in lieu of the notice provisions under Clause 16.1) if this Clause 16.2 had not applied. After such notice is given, the Principal ROC shall liaise with the Service Operator (as far as is reasonably practicable) with respect to the proposed change to enable the Service Operator to familiarise itself with the change and, if necessary, plan accordingly. The change shall become effective at any time on or after the date and time mentioned in the Principal ROC's notice served pursuant to this Clause 16.2.

16.3 Notwithstanding anything in Clauses 16.1 and 16.2, the notice provisions of those clauses may (in any particular case) be waived or substituted by other notice requirements by agreement in writing between the Principal ROC and the Service Operator where the parties wish to expedite the implementation of the particular change.

16.4 Notwithstanding anything in Clauses 16.1 to 16.3 (inclusive), the parties agree that a Telecom ROC may implement any technical or operational change or adjustment at Service Delivery Points and in the respective Telecom ROC's Network which makes it necessary for any change to be made to the Service Operator's Network without consultation with or the consent of the Service Operator, where, in the reasonable opinion of that Telecom ROC, that change or adjustment is of a minor nature PROVIDED THAT where such change or adjustment requires a disconnection and/or reconnection of a Telecom ROC's Equipment which will affect the provision of the Service Operator's Network Service, the Principal ROC