



Es'hailSat POLICY - SCOPE OF APPOINTMENT

1. Scope of Appointment

1.1. The Parties acknowledge that the Products are configured and designed to meet the requirements of Subscribers engaged only in the sector(s) identified in Schedule 1 to the Agreement.

1.2. For the purposes of this Agreement:

"Aviation Sector" means, collectively, the Business Aviation Sector, Commercial Air Transport Sector, and General Aviation Sector.

"Business Aviation Sector" means that sector of aviation which concerns the operation or use of aircraft by companies, individuals, charters, fractional ownership companies for the carriage of passengers or goods as an aid to the conduct of their business, or VIP (such as Airbus Corporate Jet and Boeing Business Jet), flown for purposes generally considered not for public hire and piloted by individuals having, at the minimum, a valid commercial pilot license with an instrument rating, excluding the Government Aeronautical Sector.

"Commercial Air Transport Sector" means that sector of aviation which concerns the operation or use of an aircraft for the carriage of passengers, cargo or mail for remuneration or hire, excluding the Government Aeronautical Sector.

"Commercial Maritime Sector" means the sector comprised of:

- a. any type of commercial trade or business involving the transportation of goods or individuals aboard vessels;
- b. any type of vessel used for commercial purposes with the aim of generating revenue as a result of those activities; and/or
- c. recreational vessels operated primarily for pleasure, whether owned, leased, rented, or chartered,

excluding: (i) the Government Maritime Sector; and (ii) the Enterprise Energy Sector.

"Enterprise Energy Sector" means the sector comprised of all offshore (including specialty vessels) satellite communications systems that support energy and natural resources (mining) exploration, development, and production, well monitoring, pipeline monitoring, and refining.

"Enterprise Sector" means the sector comprised of all fixed, mobile or portable land-based satellite communications systems operated by or on behalf of an internet service provider, telco, VSAT service provider, educational institution and cellular operator within the commercial sector and all land and offshore (including specialty vessels) satellite communications systems that support energy and natural resources (mining) exploration, development, and production, well monitoring, pipeline monitoring, and refining, excluding the Government Land Sector.

"General Aviation Sector" means that sector of aviation that concerns the operation or use of aircraft for civil aviation purposes such as instructional flying, pleasure flying and aerial work, excluding the Business Aviation Sector, Commercial Air Transport Sector and Government Aeronautical Sector .

"Government Aeronautical Sector" means that sector of aviation comprised of all military and national government agency aircraft and any aircraft operated by or on behalf of a military or national government organisation, or an international military or governmental coalition organisation such as NATO but excluding aircraft that are operated by a commercial airline on behalf of a government body which shall be dealt with on a case-by-case basis.

"Government Land Sector" means the sector comprised of all military and national government agency land-based satellite communications systems, whether man-portable, fly-away, transportable, fixed or vehicular and any such system operated by or on behalf of a military or national government organisation, or any international military or government coalition organization such as NATO.

“Government Maritime Sector” means the sector comprised of all military and national government agency vessels and any vessels operated by or on behalf of a military or national government organisation, or an international military or governmental coalition organisation such as NATO.

“Government Sector” means, collectively, the Government Aeronautical Sector, Government Land Sector and Government Maritime Sector.

2. Specific GX Regulatory Obligations of Es'hailSat

2.1. In addition to the Governmental Authorisation obligations set out in Clause 2.6 of the Agreement and subject to paragraph 2.2 below, Es'hailSat shall, in respect of Products that are provided over the GX Network:

2.1.1 subject to paragraph 2.1.2 and paragraph 2.1.3, Es'hailSat shall use reasonable endeavours to procure and maintain any Governmental Authorisations necessary to provide the radio communications links from: (a) the antenna of the Satellite Terminal to and from the Satellite; and (b) the Satellite to and from the associated SAS;

2.1.2 in respect of Products intended for ultimate use on maritime vessels, the Company shall: (i) not be responsible for any Governmental Authorisations (including service or frequency authorisations) for any radio or other communications services that occur on board a vessel (including WiFi or cellular connection) or that are provided directly to the vessel's crew or be responsible for acquiring a ship radio licence (or equivalent in any jurisdiction); and

2.1.3 in respect of Products intended for ultimate use on aircraft, Es'hailSat shall : (i) only be responsible for Governmental Authorisations for radio communications or other communications services that are external to the aircraft; (ii) not be responsible for any Governmental Authorisations (including service or frequency authorizations) for any radio or other communications services that occur within the skin of the aircraft (including WiFi or cellular connection) or be responsible for acquiring an aircraft radio licence (or equivalent in any jurisdiction).

2.2. The Parties recognise that the Governmental Authorisations referred to in paragraph 2.1 above and relating to the GX Network:

2.2.1 may not be obtained or permitted in all relevant countries where the Products are used; and/or

2.2.2 may not be obtained by the Effective Date; and/or;

2.2.3 may be subject to technical or operational restrictions.