

PRIVATE & CONFIDENTIAL

Dated [] Nov 2017

**SUPPLEMENTAL
CO-LOCATION AGREEMENT
(TUAS CENTRAL OFFICE)**

BETWEEN

**NETLINK MANAGEMENT PTE. LTD.
(IN ITS CAPACITY AS TRUSTEE OF NETLINK TRUST)**

AND

NUCLEUS CONNECT PTE LTD

THIS SUPPLEMENTAL CO-LOCATION AGREEMENT is made on [] Nov 2017

BETWEEN:

- (1) **NETLINK MANAGEMENT PTE. LTD.** (in its capacity as trustee of NetLink Trust) (Company Registration Number: 201704784C), a company incorporated in Singapore with its registered address at 750E Chai Chee Road, #07-03 Viva Business Park Singapore 469005 ("**NLT**")

AND

- (2) **NUCLEUS CONNECT PTE. LTD** (Company Registration Number: **200906560W**), a company incorporated in Singapore with its registered address at 3 Tai Seng Drive #04-01, Singapore 535216 (the "**Requesting Licensee**" or "**RL**" or "**NC**").

NLT and the RL shall hereinafter be collectively referred to as the "**Parties**", and individually as "**Party**".

WHEREAS:

- (A) NC and OpenNet Pte. Ltd. ("**OpenNet**") entered into a Co-Location Agreement dated 1 August 2012 (hereinafter referred to as the "**Tuas Co-Location Agreement**") to regulate NC's access to the Co-Location Space in Tuas CO for the purpose of installing and testing its Co-Location Equipment and carrying live traffic via the Co-Location Equipment.
- (B) By way of a Supplementary Co-Location Agreement dated 21 November 2013, NC and OpenNet extended the term of the Tuas Co-Location Agreement to 31 December 2014.
- (C) On 1 October 2014, NC and OpenNet entered into a Novation Agreement for the novation of all OpenNet's rights, benefits, title, interests and obligations under *inter alia* the Tuas Co-Location Agreement to the then trustee-manager of NetLink Trust, CityNet Infrastructure Management Pte. Ltd. ("**CityNet**")
- (D) By way of two further Supplementary Co-Location Agreements dated 10 December 2014 and 18 October 2016, NC and CityNet extended the term of the Tuas Co-Location Agreement to 31 December 2017.
- (E) On 13 April 2017, NetLink Management Pte. Ltd. succeeded CityNet as trustee-manager of the NetLink Trust.
- (F) NC and NetLink Management Pte. Ltd. (in its capacity as trustee of NetLink Trust) now wish to further extend the term of the Tuas Co-Location Agreement for a further one (1) year, on the same terms and conditions.

IN CONSIDERATION OF THE PARTIES' MUTUAL AGREEMENTS, UNDERTAKINGS AND COVENANTS HEREIN, IT IS HEREBY AGREED AS FOLLOWS:

1. Unless otherwise defined, capitalised terms used in this Supplemental Co-Location Agreement have the meanings given to them in the Tuas Co-Location Agreement.
2. The definition of "End Date" in Clause 1.1 of the Tuas Co-Location Agreement shall be deleted in its entirety and replaced with the following :

""**End Date**" means 31 December 2018."

3. Netlink Management Pte. Ltd. has assumed all obligations under this Supplemental Co-Location Agreement in its capacity as trustee of NetLink Trust and not in its personal capacity and any liability of NetLink Management Pte. Ltd. (in its capacity as trustee of NetLink Trust) under this Supplemental Co-Location Agreement is limited to the assets of NetLink Trust over which NetLink Management Pte. Ltd. has recourse and shall not extend to any personal or other assets of NetLink Management Pte. Ltd. or its shareholders, directors, officers or employees.
4. Save for the amendments stated in this Supplemental Co-Location Agreement, all the provisions in the Tuas Co-Location Agreement shall continue in full force and effect.
5. This Supplemental Co-Location Agreement shall be deemed to come into effect on the date hereof.

