

ance with Article XII of the Statute of the said Agency. Consultations looking to such agreement shall take place upon the request of either Contracting Party.

4. Each Contracting Party, if it has determined that identified material is furthering a military purpose, shall have the right to call upon the other Contracting Party to take corrective steps and, in case such steps are not taken within a reasonable time, shall have the right to suspend or cancel scheduled delivery of source material, special nuclear material and fuel, and to require the return of all identified material under the control or within the jurisdiction of the other Contracting Party.

ARTICLE V

1. There shall be excluded from the scope of this Agreement:

- (a) The supply of information, equipment, facilities, or materials, and access to equipment or facilities considered by a Contracting Party as primarily of military significance, and the employment for any military purpose of information, equipment, facilities or materials obtained pursuant to this Agreement or identified material;
- (b) The supply of information and the transfer of proprietary or patent rights received from a third party under terms preventing such supply or transfer;
- (c) The supply of information developed or owned by, and the transfer of proprietary or patent rights owned by, persons under the jurisdiction of the supplying Contracting Party unless with the consent of and under terms to be specified by such persons;
- (d) The supply of information regarded by the supplying Contracting Party as being of commercial value unless under terms specified by the said Contracting Party.

2. Unless otherwise specified at the time of transmission nothing in this Agreement shall be interpreted as imposing any responsibility with regard to the accuracy of any information supplied pursuant to this Agreement, or with regard to the suitability for any particular use or to the accuracy of specifications of equipment, facilities, materials, source material, special nuclear material or fuel supplied pursuant to this Agreement.

ARTICLE VI

Representatives of the Contracting Parties shall consult with each other from time to time on matters arising out of the application of this Agreement.

ARTICLE VII

For the purpose of this Agreement, except as otherwise specified therein:

- (a) "Equipment" means any apparatus, device, or machine of particular utility in research, development, use, processing or storage relating to atomic energy activities;
- (b) "Facilities" means all plants, buildings, or structures containing or incorporating equipment as defined in paragraph (a) of this Article, or otherwise particularly suited or used for atomic energy activities;