

each Contracting Party undertakes not to apply any prohibitions or restrictions which are not similarly applied to the importation or exportation of the like product from or to the territories of all third countries.

ARTICLE IV

1. The provisions of the present Agreement shall not limit the right of either Contracting Party to apply prohibitions or restrictions of any kind directed to the protection of its essential security interests or to the implementation of its obligations under any multilateral commodity agreement concluded under the auspices of the United Nations which is open to participation by both governments.

2. The provisions of the present Agreement shall not limit the right of Korea to accord tariff preferences or other advantages in respect of imports under the military and economic grant aid programmes of any foreign government, corporation or association or of the United Nations and the specialised agencies brought into relationship with the United Nations in accordance with the provisions of the Charter of the United Nations.

ARTICLE V

Each Contracting Party undertakes that if it establishes or maintains a state enterprise wherever located, or grants to any enterprise, formally or in effect, exclusive or special privileges, such enterprise shall, in its purchases or sales involving either imports or exports, act in a manner consistent with the principles of non-discriminatory treatment provided for in the present Agreement. To this end, subject to the provisions of Article IV, such enterprises shall make any purchases or sales solely in accordance with commercial considerations including price, quality, availability, marketability and other conditions of purchase or sale, and shall afford to the enterprises of the other Contracting Party adequate opportunity in accordance with customary business practice to compete for participation in such purchases or sales.

The provisions of the first paragraph of this Article shall not apply to imports of products for immediate or ultimate consumption in governmental use and not otherwise for resale or use in the production of goods for sale. With respect to such imports, each Contracting Party shall accord to the trade of the other Contracting Party fair and equitable treatment.

ARTICLE VI

Each Contracting Party undertakes to conform in its trade and commerce to internationally accepted fair practices, particularly in matters relating to trade marks, marks of origin and rights under patents, and to co-operate with the other Contracting Party with a view to preventing any practices which might prejudicially affect the commerce between the two countries.

ARTICLE VII

The Government of either Contracting Party shall give sympathetic consideration to any representations which the Government of the other Contracting Party may take in respect of the implementation of the present Agreement and shall afford adequate opportunity for consultation regarding such representations.