

## General Terms and Conditions

### **Article 33 - Compliance with the Integrity Pact and Fair Trade**

33.1 Supplier shall be obliged to abide by the following integrity pact and fair trade promises in implementing the Contract.

33.1.1 Supplier shall not offer, for any reason, any unjustifiable benefit, including but not limited to monetary payment and provision of inappropriate entertainment, either directly or indirectly to KEPCO's representatives and employees.

33.1.2 Supplier shall not perform faulty or unlawful work in the execution of the Contract.

33.1.3 Supplier shall not conduct any action constituting a violation of Korea's "Monopoly Regulation and Fair Trade Act", "Fair Transactions in Subcontracting Act" and "Industrial Safety and Health Act".

#### 33.2 Cancellation

In violation of provisions of Article 33.1, Supplier may face (i) cancellation or termination of the Contract, (ii) and restriction on or forfeiture of its eligibility for tendering participation or award.

#### 33.3 Restriction on Qualification for Participation by improper Supplier in Tendering

33.3.1 Supplier who violates Article 15 of Enforcement Rule on Contracts of Public Enterprises; Article 27 of Act on Contracts to which the State is a Party; Article 18 of Act on the Control and Supervision on Nuclear Power Suppliers, etc. for the Prevention of Corruption in the Nuclear Power Industry; and provision of Written Promise of the Integrity Pact and Fair Trade will be subject to restriction on qualification for participation for a certain period of time.

33.3.2 Supplier who receives notice of restriction on qualification for participation or is listed on the E-Procurement system in accordance with Act on Contracts to which the State is a

Party; Act on Contracts to which a Local Government is a Party, Act on the Management of Public Institutions; and Act on the Control and Supervision on Nuclear Power Suppliers, etc. for the Prevention of Corruption in the Nuclear Power Industry will be subject to restriction on qualification for participation based on Article 76, Clause 11 of Enforcement Decree of the Act on Contracts to which the State is a Party and Article 9, Clause 3 of Enforcement Decree of Act on the Control and Supervision on Nuclear Power Suppliers, etc. for the Prevention of Corruption in the Nuclear Power Industry.

33.3.3 Supplier(including cooperative and members of the cooperative in case of cooperative) who violates important conditions of the contract specified in the tender notice and written contract will be subject to restriction on qualification for participation in tendering procedure based on Article 27 of Act on Contracts to which the State is a Party; Article 76 of Enforcement Decree of the Act on Contracts to which the State is a Party.

33.3.4 In violation of important conditions of the contract specified

- (1) Production and supply violating the requirements for the confirmation of direct production on the contract subject to direct production based on relevant laws or KEPCO regulations;
- (2) supplying of products that does not comply with the contract specifications without just case;
- (3) Violating conditions in the attached documents regarding tender and contract.

33.4 Acceptance of Measures

Supplier shall not make any objection by means of an indemnification claim or court action against the measures in provisions of Article 33.2 and Article 33.3.