

Auckland, New Zealand, 4 February 2016

Mr Herald Muñoz Valenzuela  
Minister for Foreign Affairs  
Ministry of Foreign Affairs  
Teatinos 180  
Santiago, Chile

Dear Minister

In connection with the signing on 4 February 2016 of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Chile during the course of negotiations of the TPP Agreement, regarding applicable government procurement thresholds for the purposes of Chapter 15 (Government Procurement) of the TPP Agreement and for the purposes of Chapter 15 (Government Procurement) of the Australia-Chile Free Trade Agreement (ACIFTA).

Australia and Chile agree that both for the purposes of Chapter 15 of the TPP Agreement and for the purposes of Chapter 15 of ACIFTA, and notwithstanding Section 8 of Annex 15-A of ACIFTA, the only applicable thresholds relevant to the definition of “covered procurement” applied by Australia shall be those specified in Australia’s Schedule to Chapter 15 of the TPP Agreement, as adjusted from time to time in accordance with that Schedule.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the Government of Australia and the Government of Chile, which shall enter into force on the first date on which the TPP Agreement is in force for both Australia and Chile.

Yours sincerely

Andrew Robb  
Minister for Trade and Investment

Auckland, New Zealand, 4 February 2016

The Honourable Andrew Robb  
Minister for Trade and Investment  
Canberra, Australia

Dear Minister

I have the honour to acknowledge receipt of your letter of 4 February 2016, which reads as follows:

“In connection with the signing on 4 February 2016 of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Chile during the course of negotiations of the TPP Agreement, regarding applicable government procurement thresholds for the purposes of Chapter 15 (Government Procurement) of the TPP Agreement and for the purposes of Chapter 15 (Government Procurement) of the Australia-Chile Free Trade Agreement (ACIFTA).

Australia and Chile agree that both for the purposes of Chapter 15 of the TPP Agreement and for the purposes of Chapter 15 of ACIFTA, and notwithstanding Section 8 of Annex 15-A of ACIFTA, the only applicable thresholds relevant to the definition of “covered procurement” applied by Australia shall be those specified in Australia’s Schedule to Chapter 15 of the TPP Agreement, as adjusted from time to time in accordance with that Schedule.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the Government of Australia and the Government of Chile, which shall enter into force on the first date on which the TPP Agreement is in force for both Australia and Chile.”

I have the honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government Chile during the course of negotiations of the TPP Agreement, and that your letter and this letter in reply shall constitute an agreement between Australia and Chile.

Yours sincerely

Heraldo Muñoz  
Minister of Foreign Affairs