



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs  
Chile

Dear Minister

In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), and in the context of the Trans-Pacific Partnership Agreement (the TPP), signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, 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 on the Agreement:

Australia and Chile agree to maintain the following agreements signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Chile:

1. *“Agreement between the Government of Australia and the Government of Chile 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”, confirmed through letters exchanged between Minister Heraldo Muñoz Valenzuela and the Hon Andrew Robb MP, on 4 February 2016; and*
2. *“Agreement between the Government of Australia and the Government of Chile reaffirming that Article 3.12 “Treatment of Certain Spirits” of Section E “Non-Tariff Measures” of Chapter 3 “National Treatment and Market Access for Goods” of the Australia-Chile Free Trade Agreement shall continue to apply between the Parties”, confirmed through letters exchanged between Minister Heraldo Muñoz Valenzuela and the Hon Andrew Robb MP, on 4 February 2016.*

I have the 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 date on which the Agreement enters into force for both Australia and Chile.

Yours sincerely



**Steven Ciobo**



REPUBLICA DE CHILE  
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister Ciobo,

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), and in the context of the Trans-Pacific Partnership Agreement (the TPP), signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, 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 on the Agreement:

Australia and Chile agree to maintain the following agreements signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Chile:

1. *“Agreement between the Government of Australia and the Government of Chile 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”, confirmed through letters exchanged between Minister Heraldo Muñoz Valenzuela and the Hon Andrew Robb MP, on February 2016; and*
2. *“Agreement between the Government of Australia and the Government of Chile reaffirming that Article 3.12 “Treatment of Certain Spirits” of Section E “Non-Tariff Measures” of Chapter 3 “National Treatment and Market Access for Goods” of the Australia-Chile Free Trade Agreement shall continue to apply between the Parties”, confirmed through letters exchanged between Minister Heraldo Muñoz Valenzuela and the Hon Andrew Robb M.P, on 4 February 2016.*



**REPUBLICA DE CHILE**  
MINISTERIO DE RELACIONES EXTERIORES

I have the 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 date on which the Agreement enters into force for both Australia and Chile.”

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Heraldo Muñoz Valenzuela', with a long, sweeping flourish extending downwards and to the right.

Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

Santiago, 8 March 2018

His Excellency  
Mr. Toshimitsu Motegi  
Minister in charge of Economic Revitalization of Japan

Excellency,

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

"In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Agreement), I have the honor to confirm the following understanding reached between representatives of the Government of Japan and the Government of Australia regarding the operation of the Simultaneous Buy-Sell (SBS) mechanism for Japan's country-specific tariff-rate quota under the Agreement for rice from Australia (AU-CSQ), which is provided for in CSQ-JP2 of Appendix A (Tariff Rate Quotas of Japan) to the Tariff Schedule of Japan to Annex 2-D (Tariff Commitments) to Chapter 2 (National Treatment and Market Access for Goods) of the Agreement. The SBS mechanism for the AU-CSQ shall be administered by the Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF), or its successor, in accordance with applicable laws and regulations of Japan to the extent those laws and regulations are consistent with the international obligations that apply between Japan and Australia, including those under the Agreement and this letter and your letter of confirmation in reply.

1. 1. In the absence of an exceptional circumstance, MAFF, or its successor, shall conduct six tenders each Japanese Fiscal Year (JFY) for importation of rice under the AU-CSQ.

2. MAFF, or its successor, shall, by April 10 of each JFY, publish on an official government website and notify to Australia the annual schedule for SBS tenders for importation of rice under the AU-CSQ.

3. In the absence of an exceptional circumstance, MAFF, or its successor, shall conduct the first tender of each JFY for importation of rice under the AU-CSQ during the second month of the JFY, and shall conduct a subsequent tender once every two months thereafter throughout the JFY.

4. Japan shall immediately notify Australia of any exceptional circumstance that Japan believes warrants a deviation from the schedule set forth in paragraphs 1 and 3.

II. 1. Any entity which is registered in Japan and has sufficient capacity to import rice shall be eligible to sell rice through any SBS tender.

2. Any of the following, which have sufficient capacity to handle rice, shall be eligible to purchase rice through any SBS tender:

- (a) a rice distributor (including any wholesaler or retailer);
- (b) a processor or manufacturer of any product containing rice; or
- (c) a participant in the food service industry.

III. Japan shall set a maximum purchase price only for each of the following three types of rice: short-grain rice, medium-grain rice and long-grain rice.<sup>1</sup> Japan shall set each maximum purchase price at a level that reflects conditions in the international market for that type of rice, including the free on board (FOB) price at ports in Australia, freight costs, and exchange rates. At the time that it notifies its annual schedule of SBS tenders, MAFF, or its successor, shall publish on the official government website referred to in paragraph I.2 all data elements and figures it used for the assessment of the international market price.

IV. During each JFY, Japan shall not change the level of minimum import mark-up in SBS tenders. In improving the SBS tender system, Japan shall give due consideration to the level of minimum import mark-up in order to facilitate its smooth operation.

V. Japan shall not set the percentage of broken rice in any tender under the AU-CSQ at greater than seven per cent of the total quantity of the tender.

VI. Japan shall not solicit or accept bids for the sale to MAFF, or its successor, of rice under the AU-CSQ in quantities of less than 17 metric tons.

VII. MAFF, or its successor, shall publish on the official government website referred to in paragraph I.2 the following information for each of two subtypes (brown and milled) of each type of rice (short-grain rice, medium-grain rice and long-grain rice) immediately after the results of each tender become final:

- (a) number of bids submitted and the total quantity represented by those bids;

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<sup>1</sup> For greater certainty, Japan shall not set a maximum purchase price for any variety or subtype of rice, except that it may set a separate maximum purchase price for the brown and milled varieties of short-grain rice, medium-grain rice and long-grain rice.

(b) number of successful bids and the total quantity represented by those bids;

(c) weighted average purchase price paid by MAFF, or its successor, pursuant to bids that were successful;

(d) highest and lowest purchase prices paid by MAFF, or its successor, pursuant to bids that were successful; and

(e) weighted average purchase price paid to MAFF, or its successor, pursuant to bids that were successful.

VIII. If successful bids do not fill the scheduled quantity in any tender, MAFF, or its successor, shall conduct another round of that tender on the following day.

IX. Japan shall allow the rice sold to MAFF, or its successor, through the tender to:

(a) depart from the port of exportation at any time within eleven months after the date of the tender award; and

(b) be delivered to users at any time within twelve months after the date of the tender award.

X. 1. Japan and Australia shall discuss the operation of the AU-CSQ following the first three tenders of each JFY. During any such discussion, Japan and Australia shall examine the fill rates of the Rice 1<sup>2</sup> and Rice 2<sup>3</sup> components of the AU-CSQ and the proportion of each tender that Japan allots to each such component, and MAFF, or its successor, shall make adjustments, as mutually agreed by Japan and Australia, to the proportion of future tenders allotted to each such component.

2. If the average fill rate falls below 90 per cent for the first three tenders of any JFY:

(a) MAFF, or its successor, shall make available all of the remaining unallocated volume of the AU-CSQ in the fourth tender and in all subsequent tenders in the JFY, until the AU-CSQ volume is fully allocated.

(b) MAFF, or its successor, shall undertake temporary adjustments, as agreed by Japan and Australia, and which shall include adjustments to some or all of the following:

- (i) the number and frequency of tenders;
- (ii) the ratio of broken rice to unbroken rice in the future tenders;
- (iii) maximum purchase price; and
- (iv) the time period in which rice sold under tenders may be shipped.

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<sup>2</sup> HS Codes: 110290.310, 110319.510, 110320.350, 110419.250, 110429.250, 190120.122, 190120.162, 190190.142, 190190.587, 190410.211, 190420.211, 190490.120 and 210690.517.

<sup>3</sup> HS Codes: 100610.010, 100620.010, 100630.010 and 100640.010.

3. Japan and Australia shall consult on an annual basis to review the operation of MAFF's or its successor's SBS tendering process as applied to the AU-CSQ. During this consultation, if any temporary adjustment listed in paragraph X.2(b) is in place, Japan and Australia shall consider whether to continue it into the next JFY.

4. If the AU-CSQ volume is not fully utilized in two out of any three consecutive JFYs, MAFF, or its successor, shall make such modifications to the AU-CSQ as are necessary to achieve full utilization of the AU-CSQ, including:

(a) immediate, temporary reduction, for the entirety of the following JFY, of the minimum import mark-up by 15 per cent from its established base level; and

(b) such other steps as Japan and Australia agree.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement with respect to Japan and Australia."

I have the further honour to confirm that my Government shares this understanding and to agree that your letter and this letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Agreement), which shall enter into force on the date of entry into force of the Agreement with respect to Australia and Japan.

Yours sincerely



Steven Ciobo

Santiago, March 8, 2018

Excellency,

In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Agreement), I have the honor to confirm the following understanding reached between representatives of the Government of Japan and the Government of Australia regarding the operation of the Simultaneous Buy-Sell (SBS) mechanism for Japan's country-specific tariff-rate quota under the Agreement for rice from Australia (AU-CSQ), which is provided for in CSQ-JP2 of Appendix A (Tariff Rate Quotas of Japan) to the Tariff Schedule of Japan to Annex 2-D (Tariff Commitments) to Chapter 2 (National Treatment and Market Access for Goods) of the Agreement. The SBS mechanism for the AU-CSQ shall be administered by the Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF), or its successor, in accordance with applicable laws and regulations of Japan to the extent those laws and regulations are consistent with the international obligations that apply between Japan and Australia, including those under the Agreement and this letter and your letter of confirmation in reply.

- I. 1. In the absence of an exceptional circumstance, MAFF, or its successor, shall conduct six tenders each Japanese Fiscal Year (JFY) for importation of rice under the AU-CSQ.
2. MAFF, or its successor, shall, by April 10 of each JFY, publish on an official government website and notify to Australia the annual schedule for SBS tenders for importation of rice under the AU-CSQ.
3. In the absence of an exceptional circumstance, MAFF, or its successor, shall conduct the first tender of each JFY for importation of rice under the AU-CSQ during the second month of the JFY, and shall conduct a subsequent tender once every two months thereafter throughout the JFY.

The Honourable Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Australia



4. Japan shall immediately notify Australia of any exceptional circumstance that Japan believes warrants a deviation from the schedule set forth in paragraphs 1 and 3.

II. 1. Any entity which is registered in Japan and has sufficient capacity to import rice shall be eligible to sell rice through any SBS tender.

2. Any of the following, which have sufficient capacity to handle rice, shall be eligible to purchase rice through any SBS tender:

(a) a rice distributor (including any wholesaler or retailer);

(b) a processor or manufacturer of any product containing rice; or

(c) a participant in the food service industry.

III. Japan shall set a maximum purchase price only for each of the following three types of rice: short-grain rice, medium-grain rice and long-grain rice.<sup>1</sup> Japan shall set each maximum purchase price at a level that reflects conditions in the international market for that type of rice, including the free on board (FOB) price at ports in Australia, freight costs, and exchange rates. At the time that it notifies its annual schedule of SBS tenders, MAFF, or its successor, shall publish on the official government website referred to in paragraph I.2 all data elements and figures it used for the assessment of the international market price.

IV. During each JFY, Japan shall not change the level of minimum import mark-up in SBS tenders. In improving the SBS tender system, Japan shall give due consideration to the level of minimum import mark-up in order to facilitate its smooth operation.

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<sup>1</sup> For greater certainty, Japan shall not set a maximum purchase price for any variety or subtype of rice, except that it may set a separate maximum purchase price for the brown and milled varieties of short-grain rice, medium-grain rice and long-grain rice.

V. Japan shall not set the percentage of broken rice in any tender under the AU-CSQ at greater than seven per cent of the total quantity of the tender.

VI. Japan shall not solicit or accept bids for the sale to MAFF, or its successor, of rice under the AU-CSQ in quantities of less than 17 metric tons.

VII. MAFF, or its successor, shall publish on the official government website referred to in paragraph I.2 the following information for each of two subtypes (brown and milled) of each type of rice (short-grain rice, medium-grain rice and long-grain rice) immediately after the results of each tender become final:

- (a) number of bids submitted and the total quantity represented by those bids;
- (b) number of successful bids and the total quantity represented by those bids;
- (c) weighted average purchase price paid by MAFF, or its successor, pursuant to bids that were successful;
- (d) highest and lowest purchase prices paid by MAFF, or its successor, pursuant to bids that were successful; and
- (e) weighted average purchase price paid to MAFF, or its successor, pursuant to bids that were successful.

VIII. If successful bids do not fill the scheduled quantity in any tender, MAFF, or its successor, shall conduct another round of that tender on the following day.

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2. If the average fill rate falls below 90 per cent for the first three tenders of any JFY:

(a) MAFF, or its successor, shall make available all of the remaining unallocated volume of the AU-CSQ in the fourth tender and in all subsequent tenders in the JFY, until the AU-CSQ volume is fully allocated.

(b) MAFF, or its successor, shall undertake temporary adjustments, as agreed by Japan and Australia, and which shall include adjustments to some or all of the following:

- (i) the number and frequency of tenders;
- (ii) the ratio of broken rice to unbroken rice in the future tenders;
- (iii) maximum purchase price; and
- (iv) the time period in which rice sold under tenders may be shipped.

3. Japan and Australia shall consult on an annual basis to review the operation of MAFF's or its successor's SBS tendering process as applied to the AU-CSQ. During this consultation, if any temporary adjustment listed in paragraph X.2(b) is in place, Japan and Australia shall consider whether to continue it into the next JFY.

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4. If the AU-CSQ volume is not fully utilized in two out of any three consecutive JFYs, MAFF, or its successor, shall make such modifications to the AU-CSQ as are necessary to achieve full utilization of the AU-CSQ, including:

(a) immediate, temporary reduction, for the entirety of the following JFY, of the minimum import mark-up by 15 per cent from its established base level; and

(b) such other steps as Japan and Australia agree.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement with respect to Japan and Australia.



Toshimitsu Motegi  
Minister in charge of  
Economic Revitalization of Japan



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable Ildefonso Guajardo Villarreal  
Secretary of Economy  
Mexico

Dear Secretary

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (hereinafter referred to as the “Agreement”), I have the honour to confirm the following agreement reached between the Government of the United Mexican States (hereinafter referred to as “Mexico”) and the Government of Australia (hereinafter referred to as “Australia”):

1. The *Australian New Zealand Food Standards Code* (“the Code”) allows recognition of the following Mexican products: Bacanora, Charanda, Mezcal, Sotol and Tequila, as products manufactured in Mexico and that no variation of the Code is necessary for such recognition.
2. To the extent contemplated in the Code, and subject to Australia’s law, Australia shall not permit the sale of any Mexican product as Bacanora, Charanda, Mezcal, Sotol or Tequila, unless it has been manufactured in Mexico according to the laws of Mexico governing the manufacture of Bacanora, Charanda, Mezcal, Sotol and Tequila and complies with all applicable Mexican regulations for the consumption, sale or export as Bacanora, Charanda, Mezcal, Sotol or Tequila.

I have the honour to propose that this letter, and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between Mexico and Australia and shall enter into force on the date on which the Agreement is in force for both Mexico and Australia.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government of Mexico during the course of negotiations on the Agreement, and that your letter and this letter in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between Australia and Mexico.

Yours sincerely



**Steven Ciobo**



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 de marzo de 2018

Honorable Ildefonso Guajardo Villarreal  
Secretario de Economía  
México

Estimado Secretario

Tengo el honor de acusar la recepción de su carta de esta fecha, que dice lo siguiente:

“En relación con la suscripción en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (denominado en lo sucesivo "Tratado"), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de los Estados Unidos Mexicanos (denominado en lo sucesivo “México”) y el Gobierno de Australia (denominado en lo sucesivo “Australia”):

1. El *Código de Normas Alimentarias de Australia y Nueva Zelanda* (“el Código”) permite el reconocimiento de los siguientes productos mexicanos: Bacanora, Charanda, Mezcal, Sotol y Tequila, como productos manufacturados en México y que no es necesaria ninguna modificación al Código para tal reconocimiento.
2. En la medida que se contempla en el Código, y sujeto a la ley de Australia, Australia no permitirá la venta de producto mexicano alguno como Bacanora, Charanda, Mezcal, Sotol o Tequila, a menos que haya sido manufacturado en México de conformidad con las leyes de México que rigen la elaboración de Bacanora, Charanda, Mezcal, Sotol y Tequila y cumpla con todas las regulaciones mexicanas aplicables para el consumo, venta o exportación como Bacanora, Charanda, Mezcal, Sotol o Tequila.

Tengo el honor de proponer que esta carta, y su carta de confirmación en respuesta, igualmente auténticas en los idiomas inglés y español, constituyan un acuerdo entre México y Australia y entrará en vigor en la fecha en la cual el Tratado entre en vigor tanto para México como para Australia.”

Tengo además el honor de confirmar que lo anterior refleja el acuerdo alcanzado entre el Gobierno de Australia y el Gobierno de México durante el curso de las negociaciones del Tratado, y que su carta y esta carta en respuesta, igualmente auténticas en los idiomas inglés y español, constituirán un acuerdo entre Australia y México.

Atentamente



Steven Ciobo

8 March 2018

**The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Australia**

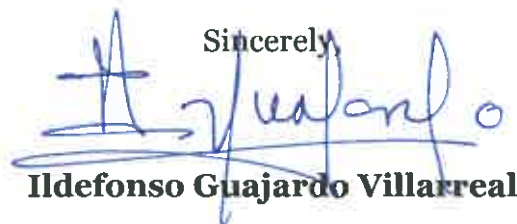
Dear Minister Ciobo

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (hereinafter referred to as the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the United Mexican States (hereinafter referred to as "Mexico") and the Government of Australia (hereinafter referred to as "Australia"):

1. The *Australian New Zealand Food Standards Code* ("the Code") allows recognition of the following Mexican products: Bacanora, Charanda, Mezcal, Sotol and Tequila, as products manufactured in Mexico and that no variation of the Code is necessary for such recognition.
2. To the extent contemplated in the Code, and subject to Australia's law, Australia shall not permit the sale of any Mexican product as Bacanora, Charanda, Mezcal, Sotol or Tequila, unless it has been manufactured in Mexico according to the laws of Mexico governing the manufacture of Bacanora, Charanda, Mezcal, Sotol and Tequila and complies with all applicable Mexican regulations for the consumption, sale or export as Bacanora, Charanda, Mezcal, Sotol or Tequila.

I have the honour to propose that this letter, and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between Mexico and Australia and shall enter into force on the date on which the Agreement is in force for both Mexico and Australia.

Sincerely,



**Idefonso Guajardo Villarreal**

8 de marzo de 2018

**Hon Steven Ciobo MP**  
**Ministro de Comercio, Turismo e Inversión**  
**Australia**

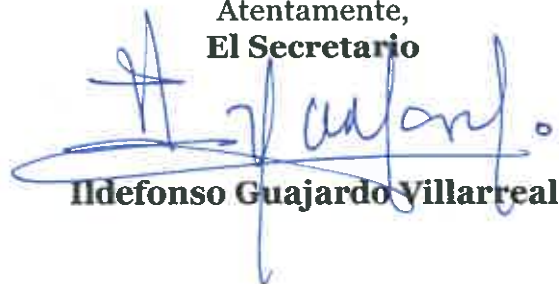
Estimado Ministro Ciobo

En relación con la suscripción en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (denominado en lo sucesivo "Tratado"), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de los Estados Unidos Mexicanos (denominado en lo sucesivo "México") y el Gobierno de Australia (denominado en lo sucesivo "Australia"):

1. El *Código de Normas Alimentarias de Australia y Nueva Zelanda* ("el Código") permite el reconocimiento de los siguientes productos mexicanos: Bacanora, Charanda, Mezcal, Sotol y Tequila, como productos manufacturados en México y que no es necesaria ninguna modificación al Código para tal reconocimiento.
2. En la medida que se contempla en el Código, y sujeto a la ley de Australia, Australia no permitirá la venta de producto mexicano alguno como Bacanora, Charanda, Mezcal, Sotol o Tequila, a menos que haya sido manufacturado en México de conformidad con las leyes de México que rigen la elaboración de Bacanora, Charanda, Mezcal, Sotol y Tequila y cumpla con todas las regulaciones mexicanas aplicables para el consumo, venta o exportación como Bacanora, Charanda, Mezcal, Sotol o Tequila.

Tengo el honor de proponer que esta carta, y su carta de confirmación en respuesta, igualmente auténticas en los idiomas inglés y español, constituyan un acuerdo entre México y Australia y entrará en vigor en la fecha en la cual el Tratado entre en vigor tanto para México como para Australia.

Atentamente,  
**El Secretario**



**Idefonso Guajardo Villarreal**





**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable Ildefonso Guajardo Villarreal  
Secretary of Economy  
Mexico

Dear Secretary

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (hereinafter referred to as the "Agreement"), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of the United Mexican States (hereinafter referred to as the "Parties"):

1. Without prejudice to paragraph 2, the Parties agree to terminate the "Agreement between the Government of Australia and the Government of the United Mexican States on the Promotion and Reciprocal Protection of Investments", and its Protocol, signed in Mexico City on 23 August 2005 (hereinafter referred to as the "IPPA"), on the date of entry into force of the Agreement for both Australia and the United Mexican States (hereinafter referred to as the "date of termination").
2. The IPPA shall continue to apply for a period of three years from the date of termination to any investment (as defined in Article 1(1)(a) (Definitions) of the IPPA) which was made before the entry into force of the Agreement for both Australia and the United Mexican States with respect to any act or fact that took place or any situation that existed before the date of termination.
3. A claim under Article 13 (Arbitration: Scope and Standing and Time Periods) of the IPPA may only be made within three years from the date of termination and only with respect to any act or fact that took place or any situation that existed before the date of termination.
4. The Parties agree that the provisions for termination of the IPPA contained in this letter shall, at the date of termination, supersede the provisions for termination contained in Article 24 (Duration and Termination) of the IPPA.

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between our Governments and shall enter into force on the date on which the Agreement is in force for both Australia and the United Mexican States.

Yours sincerely



**Steven Ciobo**



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 de marzo de 2018

Honorable Ildelfonso Guajardo Villarreal  
Secretario de Economía  
México

Estimado Secretario

En relación con la suscripción en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (denominado en lo sucesivo "Tratado"), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de Australia y el Gobierno de los Estados Unidos Mexicanos (denominados en lo sucesivo las "Partes"):

1. Sin perjuicio del párrafo 2, las Partes acuerdan dar por terminado el "Acuerdo para la Promoción y Protección Recíproca de las Inversiones entre el Gobierno de Australia y el Gobierno de los Estados Unidos Mexicanos", y su Protocolo, firmado en la Ciudad de México el 23 de agosto del 2005 (denominado en lo sucesivo "APPRI"), en la fecha de entrada en vigor del Tratado tanto para Australia como para los Estados Unidos Mexicanos (denominada en lo sucesivo "fecha de terminación").
2. El APPRI seguirá aplicándose durante un período de tres años a partir de la fecha de terminación a cualquier inversión (tal como se define en el Artículo 1(1)(a) (Definiciones) del APPRI) que haya sido realizada antes de la entrada en vigor del Tratado tanto para Australia como para los Estados Unidos Mexicanos, con respecto a cualquier acto o hecho que haya tenido lugar o cualquier situación que haya existido antes de la fecha de terminación.
3. Una reclamación de conformidad con el Artículo 13 (Arbitraje: Ámbito de Aplicación y Plazos) del APPRI, únicamente puede ser presentada dentro de los tres años siguientes a la fecha de terminación, y únicamente con respecto a cualquier acto o hecho que haya tenido lugar o cualquier situación que haya existido antes de la fecha de terminación.
4. Las Partes convienen que las disposiciones relativas a la terminación del APPRI contenidas en esta carta sustituirán, en la fecha de terminación, a las disposiciones sobre su terminación contenidas en el Artículo 24 (Duración y Terminación) del APPRI.

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, igualmente auténticas en los idiomas inglés y español, constituyan un acuerdo entre nuestros Gobiernos y entrará en vigor en la fecha en la cual el Tratado entre en vigor tanto para Australia como para los Estados Unidos Mexicanos.

Atentamente



Steven Ciobo

8 March 2018

**The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia**

Dear Minister Ciobo:

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (hereinafter referred to as the “Agreement”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of the United Mexican States (hereinafter referred to as the “Parties”):

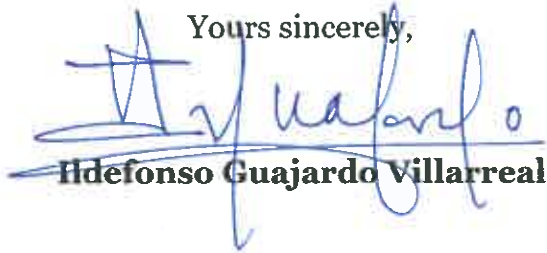
1. Without prejudice to paragraph 2, the Parties agree to terminate the “Agreement between the Government of Australia and the Government of the United Mexican States on the Promotion and Reciprocal Protection of Investments”, and its Protocol, signed in Mexico City on 23 August 2005 (hereinafter referred to as the “IPPA”), on the date of entry into force of the Agreement for both Australia and the United Mexican States (hereinafter referred to as the “date of termination”).
2. The IPPA shall continue to apply for a period of three years from the date of termination to any investment (as defined in Article 1(1)(a) (Definitions) of the IPPA) which was made before the entry into force of the Agreement for both Australia and the United Mexican States with respect to any act or fact that took place or any situation that existed before the date of termination.
3. A claim under Article 13 (Arbitration: Scope and Standing and Time Periods) of the IPPA may only be made within three years from the date of termination and only with respect to any act or fact that took place or any situation that existed before the date of termination.
4. The Parties agree that the provisions for termination of the IPPA contained in this letter shall, at the date of termination, supersede the provisions for termination contained in Article 24 (Duration and Termination) of the IPPA.

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between our Governments and shall enter into force on the date on which the Agreement is in force for both Australia and the United Mexican States.”



I have the honour to confirm that the above reflects the agreement reached between the Government of the United Mexican States and the Government of Australia during the course of negotiations on the Agreement, and that your letter and this letter in reply, both equally authentic in the Spanish and the English languages, shall constitute an agreement between the United Mexican States and Australia.

Yours sincerely,



**Hdefonso Guajardo Villarreal**

8 de marzo de 2018

**Hon Steven Ciobo MP  
Ministro de Comercio, Turismo e Inversión  
Canberra, Australia**

Estimado Ministro Ciobo:

Tengo el honor de acusar la recepción de su carta de esta fecha, que dice lo siguiente:

“En relación con la suscripción en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (denominado en lo sucesivo "Tratado"), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de Australia y el Gobierno de los Estados Unidos Mexicanos (denominados en lo sucesivo las "Partes"):

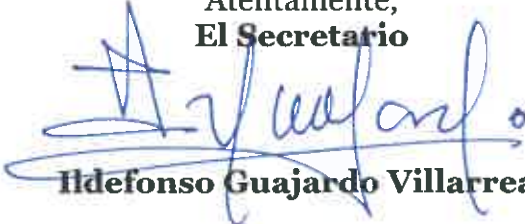
1. Sin perjuicio del párrafo 2, las Partes acuerdan dar por terminado el "Acuerdo para la Promoción y Protección Recíproca de las Inversiones entre el Gobierno de Australia y el Gobierno de los Estados Unidos Mexicanos", y su Protocolo, firmado en la Ciudad de México el 23 de agosto del 2005 (denominado en lo sucesivo "APPRI"), en la fecha de entrada en vigor del Tratado tanto para Australia como para los Estados Unidos Mexicanos (denominada en lo sucesivo "fecha de terminación").
2. El APPRI seguirá aplicándose durante un período de tres años a partir de la fecha de terminación a cualquier inversión (tal como se define en el Artículo 1(1)(a) (Definiciones) del APPRI) que haya sido realizada antes de la entrada en vigor del Tratado tanto para Australia como para los Estados Unidos Mexicanos, con respecto a cualquier acto o hecho que haya tenido lugar o cualquier situación que haya existido antes de la fecha de terminación.
3. Una reclamación de conformidad con el Artículo 13 (Arbitraje: Ámbito de Aplicación y Plazos) del APPRI, únicamente puede ser presentada dentro de los tres años siguientes a la fecha de terminación, y únicamente con respecto a cualquier acto o hecho que haya tenido lugar o cualquier situación que haya existido antes de la fecha de terminación.
4. Las Partes convienen que las disposiciones relativas a la terminación del APPRI contenidas en esta carta sustituirán, en la fecha de terminación, a las disposiciones sobre su terminación contenidas en el Artículo 24 (Duración y Terminación) del APPRI.

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, igualmente auténticas en los idiomas inglés y español, constituyan un acuerdo entre nuestros Gobiernos y entrará en vigor en la fecha en la cual el

Tratado entre en vigor tanto para Australia como para los Estados Unidos Mexicanos.”

Tengo el honor de confirmar que lo anterior refleja el acuerdo alcanzado entre el Gobierno de los Estados Unidos Mexicanos y el Gobierno de Australia durante el curso de las negociaciones del Tratado, y que su carta y esta carta de respuesta, igualmente auténticas en los idiomas español e inglés, constituirán un acuerdo entre los Estados Unidos Mexicanos y Australia.

Atentamente,  
El Secretario



Ildelfonso Guajardo Villarreal



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

Hon David Parker  
Minister for Trade and Export Growth  
New Zealand

Dear Minister

I have the honour of acknowledging receipt of your letter of 8 March 2018 which states as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”) and in the context of the Australia New Zealand Closer Economic Relations Trade Agreement (“CER”) done at Canberra on 28 March 1983 and its related agreements and understandings, and in the context of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area done at Cha-am on 27 February 2009 (AANZFTA), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (TPP), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of New Zealand during the course of negotiations on the Agreement:

1. Nothing in the Agreement shall be construed to derogate from any rights or obligations of New Zealand or Australia under CER or AANZFTA.
2. Chapter 6 (Trade Remedies) of the Agreement shall not create any rights or obligations between New Zealand and Australia.
3. No investor of New Zealand shall have recourse to dispute settlement against Australia under Chapter 9, Section B (Investor-State Dispute Settlement) of the Agreement.
4. No investor of Australia shall have recourse to dispute settlement against New Zealand under Chapter 9, Section B (Investor-State Dispute Settlement) of the Agreement.
5. New Zealand shall only rely on Entry 2 in New Zealand's schedule to Annex IV of the Agreement with respect to air transport services between New Zealand and Australia where:
  - (a) non-commercial assistance provided to a state-owned enterprise supplying the service is solely intended to enable the state-owned enterprise to continue operating as a going concern; and

- (b) the non-commercial assistance does not cause:
- (i) a significant increase in the state-owned enterprise's market share of the service; or
  - (ii) a significant price undercutting by the service supplied by the state-owned enterprise as compared with the price of a like service supplied by an Australian service supplier in the same market, or a significant price suppression, price depression or lost sales in the same market

I have the further honour to propose that this letter and your letter of confirmation in reply, shall constitute an agreement between Australia and New Zealand which shall enter into force on the date on which the Agreement enters into force for both Australia and New Zealand."

I have the further honour to confirm that your letter reflects the agreement reached by the Governments of Australia and New Zealand during the course of the negotiations on the Agreement and that your letter and this letter in reply, shall constitute an agreement between Australia and New Zealand.

Yours sincerely



Steven Ciobo



8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister Ciobo

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement") and in the context of the Australia New Zealand Closer Economic Relations Trade Agreement ("CER") done at Canberra on 28 March 1983 and its related agreements and understandings, and in the context of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area done at Cha-am on 27 February 2009 (AANZFTA), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (TPP), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of New Zealand during the course of negotiations on the Agreement:

1. Nothing in the Agreement shall be construed to derogate from any rights or obligations of New Zealand or Australia under CER or AANZFTA.
2. Chapter 6 (Trade Remedies) of the Agreement shall not create any rights or obligations between New Zealand and Australia.



3. No investor of New Zealand shall have recourse to dispute settlement against Australia under Chapter 9, Section B (Investor-State Dispute Settlement) of the Agreement.
4. No investor of Australia shall have recourse to dispute settlement against New Zealand under Chapter 9, Section B (Investor-State Dispute Settlement) of the Agreement.
5. New Zealand shall only rely on Entry 2 in New Zealand's schedule to Annex IV of the Agreement with respect to air transport services between New Zealand and Australia where:
  - (a) non-commercial assistance provided to a state-owned enterprise supplying the service is solely intended to enable the state-owned enterprise to continue operating as a going concern; and
  - (b) the non-commercial assistance does not cause:
    - (i) a significant increase in the state-owned enterprise's market share of the service; or
    - (ii) a significant price undercutting by the service supplied by the state-owned enterprise as compared with the price of a like service supplied by an Australian service supplier in the same market, or a significant price suppression, price



depression or lost sales in the same market.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker', with a stylized flourish at the end.

Hon David Parker  
Minister for Trade and Export Growth  
New Zealand



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

Mr. Eduardo Ferreyros Küppers  
Minister of Foreign Trade and Tourism  
Peru

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 ("TPP"), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement:

Australia and Peru agree to maintain the following agreement signed in connection with the signature of the TPP, and that this agreement shall enter into force on the date on which the Agreement enters into force for both Australia and Peru:

1. *Australia – Peru: Distinctive Products (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016).*

Noting the Peru-Australia Free Trade Agreement (PAFTA) and its related Notes of agreement to terminate the Agreement between Australia and the Republic of Peru on the Promotion and Protection of Investments, Australia and Peru further agree to maintain the following agreement signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru, in the event the PAFTA and its related side letter have not already entered into force:

2. *Australia – Peru: Termination of Investment Promotion and Protection Agreement (Notes between The Hon Mrs Ana María Sánchez de Ríos and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a white background.

**Steven Ciobo**



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 de marzo de 2018

Sr. Eduardo Ferreyros Küppers  
Ministro de Comercio Exterior y Turismo  
Perú

Estimado Ministro

En relación a la firma en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (el "Tratado"), y en el contexto del Tratado de Asociación Transpacífico firmado en Auckland el 4 de febrero de 2016 ("TPP"), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado:

Australia y el Perú confirman su intención de mantener el siguiente acuerdo suscrito en el marco de la firma del TPP, y que este entendimiento entrará en vigor en la fecha en la que el Tratado entre en vigor para ambos Australia y el Perú:

1. *Australia – Perú: Productos Distintivos (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon. Andrew Robb MP, con fecha 4 de febrero de 2016).*

Teniendo en cuenta el Acuerdo de Libre Comercio Perú-Australia (PAFTA) y sus Notas relacionadas sobre el acuerdo para la terminación del "Acuerdo entre Australia y la República del Perú sobre Promoción y Protección de Inversiones", Australia y el Perú acuerdan mantener el siguiente acuerdo suscrito en conexión con la firma del TPP, el mismo que entrará en vigor en la fecha en la que el Tratado entre en vigor para ambos, Australia y el Perú, en caso de que el PAFTA y su carta adjunta relacionada no hayan entrado aún en vigencia:

2. *Australia – Peru: Terminación del Acuerdo sobre Promoción y Protección de Inversiones (Intercambio de notas entre la Sra. Ana María Sánchez de Ríos y el Hon Andrew Robb MP, con fecha 4 de febrero de 2016).*

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, ambas igualmente auténticas en idiomas Inglés y Español, constituyan un acuerdo entre el Gobierno de Australia y el Gobierno del Perú, el cual entrará en vigor en la fecha en la que el Tratado entre en vigor para ambos, Australia y el Perú.

Atentamente

**Steven Ciobo**



PERÚ

Ministerio  
de Comercio Exterior  
y Turismo

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement:

Australia and Peru agree to maintain the following agreement signed in connection with the signature of the TPP, and that this agreement shall enter into force on the date on which the Agreement enters into force for both Australia and Peru:

1. *Australia – Peru: Distinctive Products (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016).*

Noting the Peru-Australia Free Trade Agreement (PAFTA) and its related Notes of agreement to terminate the Agreement between Australia and the Republic of Peru on the Promotion and Protection of Investments, Australia and Peru further agree to maintain the following agreement signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru, in the event the PAFTA and its related side letter have not already entered into force:

2. *Australia – Peru: Termination of Investment Promotion and Protection Agreement (Notes between The Hon Mrs Ana María Sánchez de Ríos and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement, and that your letter and this letter in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Eduardo Ferreyros Küppers', written over a light blue rectangular stamp.

Eduardo Ferreyros Küppers  
Minister of Foreign Trade and Tourism  
Peru



PERÚ

Ministerio  
de Comercio Exterior  
y Turismo

8 de marzo de 2018

Hon. Steven Ciobo, MP  
Ministro de Comercio, Turismo e Inversión  
Australia

Estimado Ministro:

Tengo el honor de acusar recibo de su carta de 8 de marzo de 2018, que señala lo siguiente:

“En relación a la firma en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (el “Tratado”), y en el contexto del Tratado de Asociación Transpacífico firmado en Auckland el 4 de febrero de 2016 (“TPP”), tengo el honor de confirmar el siguiente acuerdo alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado:

Australia y el Perú confirman su intención de mantener el siguiente acuerdo suscrito en el marco de la firma del TPP, y que este entendimiento entrará en vigor en la fecha en que el Tratado entre en vigor para ambos Australia y el Perú:

1. *Australia – Perú: Productos Distintivos (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon. Andrew Robb MP, con fecha 4 de febrero de 2016).*

Teniendo en cuenta el Acuerdo de Libre Comercio Perú-Australia (PAFTA) y sus Notas relacionadas sobre el acuerdo para la terminación del "Acuerdo entre Australia y la República del Perú sobre Promoción y Protección de Inversiones", Australia y el Perú acuerdan mantener el siguiente acuerdo suscrito en conexión con la firma del TPP, el mismo que entrará en vigor en la fecha en la que el Tratado entre en vigor para ambos, Australia y el Perú, en caso de que el PAFTA y su carta adjunta relacionada no hayan entrado aún en vigencia:

2. *Australia – Perú: Terminación del Acuerdo sobre Promoción y Protección de Inversiones (Intercambio de notas entre la Sra. Ana María Sánchez de Ríos y el Hon Andrew Robb MP con fecha 4 de febrero de 2016).*

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, ambas igualmente auténticas en idiomas Inglés y Español, constituyan un acuerdo



entre el Gobierno de Australia y el Gobierno del Perú, el cual entrará en vigor en la fecha en el que el Tratado entre en vigor para ambos, Australia y el Perú.”

Tengo asimismo el honor de confirmar que lo arriba mencionado refleja el acuerdo alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado, y que su carta y esta carta en respuesta, ambas igualmente auténticas en idiomas Inglés y Español, constituyen un acuerdo entre el Gobierno de Australia y el Gobierno del Perú.

Atentamente,



Eduardo Ferreyros Küppers  
Ministro de Comercio Exterior y Turismo  
Perú



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 ("TPP"), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam ("Viet Nam") during the course of negotiations on the Agreement:

Australia and Viet Nam agree to maintain the following agreements signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Viet Nam:

1. *Australia – Viet Nam: Termination of Investment Promotion and Protection Agreement (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016); and*
2. *Australia – Viet Nam: Foreign Investment in Vietnamese Airlines (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016).*

I have the 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 Viet Nam, which shall enter into force on the date on which the Agreement enters into force for both Australia and Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Steven Ciobo', written over a horizontal line.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) during the course of negotiations on the Agreement:

Australia and Viet Nam agree to maintain the following agreements signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Viet Nam:

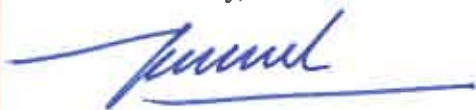
1. *Australia – Viet Nam: Termination of Investment Promotion and Protection Agreement (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016); and*
2. *Australia – Viet Nam: Foreign Investment in Vietnamese Airlines (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016).*

I have the 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 Viet Nam, which shall enter into force on the date on which the Agreement enters into force for both Australia and Viet Nam.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply shall constitute an agreement between the

Government of Viet Nam and the Government of Australia.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tuan Anh', with a long horizontal flourish extending to the right.

Tran Tuan Anh

Minister of Industry and Trade

Socialist Republic of Viet Nam



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable François-Philippe Champagne  
Minister of International Trade  
Canada

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to propose that the letters dated 4 February 2016 that our Governments signed in connection with the signing of the Trans-Pacific Partnership Agreement signed in Auckland, be equally valid and applicable with respect to the Agreement. These letters are:

1. *Understanding Related to Australia – Canada: Dairy and Food Processing (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016);*
2. *Understanding Related to Australia – Canada: Distinctive Products (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016); and*
3. *Understanding Related to Australia – Canada: Wines and Spirits (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the further honour to propose that this letter, and your letter of confirmation in reply, equally valid in French and English, will constitute an understanding between the Government of Australia and the Government of Canada, which will come into effect on the date on which the Agreement enters into force for both Australia and Canada.

Yours sincerely



**Steven Ciobo**



8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Agreement”), I have the honour to propose that the letters dated 4 February 2016 that our Governments signed in connection with the signing of the *Trans-Pacific Partnership Agreement* signed in Auckland, be equally valid and applicable with respect to the Agreement. These letters are:

1. *Understanding Related to Australia – Canada: Dairy and Food Processing (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016);*
2. *Understanding Related to Australia – Canada: Distinctive Products (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016); and*
3. *Understanding Related to Australia – Canada: Wines and Spirits (Letters between the Honourable Chrystia Freeland and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the further honour to propose that this letter, and your letter of confirmation in reply, equally valid in French and English, will constitute an understanding between the Government of Australia and the Government of Canada, which will come into effect on the date on which the Agreement enters into force for both Australia and Canada.”

I have honour to confirm that the above reflects the understanding reached between the Government of Australia and the Government of Canada during the course of negotiations on the Agreement, and that your letter and this letter in reply, equally valid in French and English, will constitute an understanding between the Government of Australia and the Government of Canada, which will come into effect on the date on which the Agreement enters into force for both Australia and Canada.

Yours sincerely,



The Honourable François-Philippe Champagne  
Minister of International Trade  
Canada



Le 8 mars 2018

L'honorable Steven Ciobo, député  
Ministre du Commerce, du Tourisme  
et de l'Investissement  
Australie

Monsieur le Ministre,

J'ai l'honneur d'accuser réception de votre lettre du 8 mars 2018, dont la teneur est la suivante :

« Dans le cadre de la signature en ce jour de l'Accord de partenariat transpacifique global et progressiste (l'« Accord »), j'ai l'honneur de proposer que les lettres datées du 4 février 2016 qui ont été signées par nos gouvernements dans le cadre de la signature à Auckland de l'Accord de partenariat transpacifique soient également valides et applicables à l'égard de l'Accord. Les lettres en question sont :


1. *l'Entente entre l'Australie et le Canada : Transformation des produits laitiers (échange de lettres datées du 4 février 2016 entre l'honorable Chrystia Freeland et l'honorable Andrew Robb, député);*
2. *l'Entente entre l'Australie et le Canada : Produits distinctifs (échange de lettres datées du 4 février 2016 entre l'honorable Chrystia Freeland et l'honorable Andrew Robb, député);*
3. *l'Entente entre l'Australie et le Canada : Vins et spiritueux (échange de lettres datées du 4 février 2016 entre l'honorable Chrystia Freeland et l'honorable Andrew Robb, député).*



J'ai en outre l'honneur de proposer que la présente lettre de même que votre lettre de confirmation en réponse à celle-ci, dont les versions française et anglaise sont également valides, constituent une entente entre le Gouvernement de l'Australie et le Gouvernement du Canada, qui prendra effet à la date d'entrée en vigueur de l'Accord pour l'Australie et le Canada. »

J'ai l'honneur de confirmer que la lettre qui précède est fidèle à l'entente intervenue entre le Gouvernement de l'Australie et le Gouvernement du Canada au cours des négociations de l'Accord, et que votre lettre de même que la présente lettre de réponse, dont les versions française et anglaise sont également valides, constituent une entente entre le Gouvernement de l'Australie et le Gouvernement du Canada qui prendra effet à la date d'entrée en vigueur de l'Accord pour l'Australie et le Canada.

Je vous prie d'agréer, Monsieur le Ministre, les assurances de ma très haute considération.



L'honorable François-Philippe Champagne  
Ministre du Commerce international  
Canada



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

H.E. J. Jayasiri  
Secretary General  
Ministry of International Trade and Industry  
Malaysia

Dear Secretary General

In connection with the signing on this date in Santiago de Chile of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and in the context of the Trans-Pacific Partnership Agreement signed on 4 February 2016 in Auckland ("TPP"), I have the honour to confirm the following mutual understanding reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement:

The Governments of Australia and Malaysia confirm their intention to maintain the following mutual understanding reached in connection with the signature of the TPP, and that this understanding will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia:

1. *Side Letters on traditional knowledge (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

The Governments of Australia and Malaysia also confirm their mutual understanding that the following understanding came into effect on signature of the TPP, and will continue in effect when the Agreement enters into force for both Australia and Malaysia:

2. *Side Letters on Review of the Malaysia-Australia Free Trade Agreement (MAFTA) (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia, which will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia.

Yours sincerely



**Steven Ciobo**



8 March 2018

**The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia**

Dear Minister,

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date in Santiago de Chile of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed on 4 February 2016 in Auckland (“TPP”), I have the honour to confirm the following mutual understandings reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement:

The Governments of Australia and Malaysia confirm their intention to maintain the following mutual understanding reached in connection with the signature of the TPP, and that this understanding will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia:

1. *Side Letters on traditional knowledge (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

The Governments of Australia and Malaysia also confirm their mutual understanding that the following understanding came into effect on signature of the TPP, and will continue in effect when the Agreement enters into force for both Australia and Malaysia:

2. *Side Letters on Review of the Malaysia-Australia Free Trade Agreement (MAFTA) (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia, which will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia.”

I have the further honour to confirm that the above reflects the mutual understandings reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia.

Yours sincerely

  
**J. Jayasri**  
**Secretary General**  
**Ministry of International Trade and Industry**



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

Mr. Eduardo Ferreyros Küppers  
Minister of Foreign Trade and Tourism  
Peru

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 ("TPP"), I have the honour to confirm the following understanding reached between the Government of Australia and the Government of Peru during the course of the negotiations on the Agreement:

Australia and Peru confirm their intention to maintain the following understandings signed in connection with the signature of the TPP, and that these understandings will come into effect on the date on which the Agreement enters into force for both Australia and Peru:

1. *Understanding Related to Australia – Peru: Traditional Knowledge (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016);*
2. *Understanding Related to Australia – Peru: Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, will constitute a Memorandum of Understanding between the Government of Australia and the Government of Peru, which will come into effect on the date on which the Agreement enters into force for both Australia and Peru.

Yours sincerely



**Steven Ciobo**



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 de marzo de 2018

Sr. Eduardo Ferreyros Küppers  
Ministro de Comercio Exterior y Turismo  
Perú

Estimado Ministro

En relación a la firma en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (el “Tratado”), y en el contexto del Tratado de Asociación Transpacífico firmado en Auckland el 4 de febrero de 2016 (“TPP”), tengo el honor de confirmar el siguiente entendimiento alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado:

Australia y el Perú confirman su intención de mantener los siguientes entendimientos firmados en el marco de la firma del TPP, y que estos entendimientos entrarán en vigor en la fecha en que el Tratado entre en vigor para ambos Australia y el Perú:

- 1. Entendimiento relacionado a Australia – Perú: Conocimientos Tradicionales (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon Andrew Robb MP, con fecha 4 de febrero de 2016);*
- 2. Entendimiento Relacionado a Australia – Perú: Transparencia y Equidad Procedimental para Productos Farmacéuticos y Dispositivos Médicos (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon Andrew Robb MP, de fecha 4 de febrero de 2016).*

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, ambas igualmente auténticas en idiomas Inglés y Español, constituyan un Memorando de Entendimiento entre el Gobierno de Australia y el Gobierno del Perú, el cual surtirá efectos en la fecha en el que el Tratado entre en vigor para ambos, Australia y el Perú.

Atentamente



Steven Ciobo



PERÚ

Ministerio  
de Comercio Exterior  
y Turismo

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following understanding reached between the Government of Australia and the Government of Peru during the course of the negotiations on the Agreement:

Australia and Peru confirm their intention to maintain the following understandings signed in connection with the signature of the TPP, and that these understandings will come into effect on the date on which the Agreement enters into force for both Australia and Peru:

1. *Understanding Related to Australia – Peru: Traditional Knowledge (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016);*
2. *Understanding Related to Australia – Peru: Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices (Letters between Ms Magali Silva Velarde-Álvarez and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, will constitute a Memorandum of Understanding between the Government of Australia and the Government of Peru, which will come into effect on the date on which the Agreement enters into force for both Australia and Peru.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of Peru during the course

of negotiations on the Agreement, and that your letter and this letter in reply, both equally authentic in the English and the Spanish languages, will constitute a Memorandum of Understanding between the Government of Australia and the Government of Peru.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'E. Ferreyros', written over the typed name.

**Eduardo Ferreyros Küppers**  
**Minister of Foreign Trade and Tourism**  
**Peru**





PERÚ

Ministerio  
de Comercio Exterior  
y Turismo

8 de marzo de 2018

Hon. Steven Ciobo  
Ministro de Comercio, Turismo e Inversión  
Australia

Estimado Ministro:

Tengo el honor de acusar recibo de su carta de 8 de marzo de 2018, que señala lo siguiente:

“En relación a la firma en esta fecha del Tratado Integral y Progresista de Asociación Transpacífico (el “Tratado”), y en el contexto del Tratado de Asociación Transpacífico firmado en Auckland el 4 de febrero de 2016 (“TPP”), tengo el honor de confirmar el siguiente entendimiento alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado:

Australia y el Perú confirman su intención de mantener los siguientes entendimientos firmados en el marco de la firma del TPP, y que estos entendimientos entrarán en vigor en la fecha en que el Tratado entre en vigor para ambos Australia y el Perú:

1. *Entendimiento relacionado a Australia – Perú: Conocimientos Tradicionales (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon Andrew Robb MP, con fecha 4 de febrero de 2016);*
2. *Entendimiento Relacionado a Australia – Perú: Transparencia y Equidad Procedimental para Productos Farmacéuticos y Dispositivos Médicos (Cartas entre la Sra. Magali Silva Velarde-Álvarez y el Hon Andrew Robb MP, de fecha 4 de febrero de 2016).*

Tengo el honor de proponer que esta carta y su carta de confirmación en respuesta, ambas igualmente auténticas en idiomas Inglés y Español, constituyan un Memorando de Entendimiento entre el Gobierno de Australia y el Gobierno del Perú, el cual surtirá efectos en la fecha en el que el Tratado entre en vigor para ambos, Australia y el Perú.”

Tengo asimismo el honor de confirmar que lo arriba mencionado refleja el entendimiento mutuo alcanzado entre el Gobierno de Australia y el Gobierno del Perú durante el curso de las negociaciones del Tratado, y que su carta y esta carta en respuesta,

ambas igualmente auténticas en idiomas Inglés y Español, constituyen un entendimiento entre el Gobierno de Australia y el Gobierno del Perú.

Atentamente,

A handwritten signature in blue ink, appearing to read 'Eduardo Ferreyros Küppers', written over the typed name.

Eduardo Ferreyros Küppers  
Ministro de Comercio Exterior y Turismo  
Perú



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following understanding reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) during the course of the negotiations on the Agreement:

Australia and Viet Nam confirm their intention to maintain the following understandings, and the commitments made therein, signed in connection with the signature of the TPP, which will come into effect on the date on which the Agreement enters into force for both Australia and Viet Nam:

1. *Memorandum of Understanding Related to Australia – Viet Nam: Online Education (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016);*
2. *Memorandum of Understanding Related to Australia – Viet Nam: Enhancing the Work and Holiday Arrangement and streamlining Viet Nam’s work permit regime (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of Viet Nam regarding their commitments under the above-mentioned Letters, which will come into effect on the date on which the Agreement enters into force for both Australia and Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'S. Ciobo', written over a white background.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following understanding reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) during the course of the negotiations on the Agreement:

Australia and Viet Nam confirm their intention to maintain the following understandings, and the commitments made therein, signed in connection with the signature of the TPP, which will come into effect on the date on which the Agreement enters into force for both Australia and Viet Nam:

1. *Memorandum of Understanding Related to Australia – Viet Nam: Online Education (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016);*
2. *Memorandum of Understanding Related to Australia – Viet Nam: Enhancing the Work and Holiday Arrangement and streamlining Viet Nam’s work permit regime (Letters between H.E. Dr. Vu Huy Hoang and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of Viet Nam regarding their commitments under the above-mentioned Letters, which will come into effect on the date on which the Agreement enters into force for both Australia and Viet Nam.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Viet Nam and the Government of Australia.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tuan Anh', is written over a horizontal blue line.

Tran Tuan Anh

Minister of Industry and Trade

Socialist Republic of Viet Nam



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable François-Philippe Champagne  
Minister of International Trade  
Canada

Dear Minister

I am pleased to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm the following agreement reached by the Government of Canada (Canada) and the Government of Australia (Australia):

Canada and Australia agree that, in continuing to give effect to the Agreement, notwithstanding the following language in Annex II – Canada – 16 and 17 – under the Cultural Industries Sector, first paragraph under the subheading “Description,” that states “except: (a) discriminatory requirements on service suppliers or investors to make financial contributions for Canadian content development; and (b) measures restricting the access to on-line foreign audio-visual content,” Canada may adopt or maintain discriminatory requirements on service suppliers or investors to make financial contributions for Canadian content development and may adopt or maintain measures that restrict access to on-line foreign audio-visual content.

I have the honour to propose that this letter, equally valid in English and French, and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.”

I have the honour to confirm that the above reflects the agreement reached between our Governments, and that your letter, equally valid in English and French, and this letter in reply shall constitute an agreement between our Governments, which shall enter into force on the date of entry into force of the Agreement as between Australia and Canada.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', with a long horizontal stroke extending to the left.

**Steven Ciobo**



8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm the following agreement reached by the Government of Canada (Canada) and the Government of Australia (Australia):

“Canada and Australia agree that, in continuing to give effect to the Agreement, notwithstanding the following language in Annex II – Canada – 16 and 17 – under the Cultural Industries Sector, first paragraph under the subheading “Description,” that states “except: (a) discriminatory requirements on service suppliers or investors to make financial contributions for Canadian content development; and (b) measures restricting the access to on-line foreign audio-visual content”, Canada may adopt or maintain discriminatory requirements on service suppliers or investors to make financial contributions for Canadian content development and may adopt or maintain measures that restrict access to on-line foreign audio-visual content.”

I have the honour to propose that this letter, equally valid in English and in French, and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.

Yours sincerely,



The Honourable Francois-Philippe Champagne  
Minister of International Trade  
Canada





Le 8 mars 2018

L'honorable Steven Ciobo, député  
Ministre du Commerce, du Tourisme et de l'Investissement  
Australie

Monsieur le Ministre,

Dans le cadre de la signature de l'Accord de partenariat transpacifique global et progressiste (l'« Accord »), j'ai l'honneur de confirmer l'accord suivant conclu entre le Gouvernement du Canada (Canada) et le Gouvernement de l'Australie (Australie) :

« Le Canada et l'Australie conviennent que, dans le cadre des dispositions prises pour continuer à donner effet à l'Accord, malgré le libellé du premier paragraphe de l'élément « Description » figurant à l'Annexe II – Liste du Canada – 16 et 17 – Secteur des industries culturelles, lequel est rédigé comme suit : « à l'exception : a) des prescriptions discriminatoires obligeant les fournisseurs de services ou les investisseurs à verser des contributions financières pour le développement de contenu canadien; b) des mesures limitant l'accès au contenu audiovisuel étranger en ligne », le Canada peut adopter ou maintenir des prescriptions discriminatoires obligeant les fournisseurs de services ou les investisseurs à verser des contributions financières pour le développement de contenu canadien, et peut adopter ou maintenir des mesures qui limitent l'accès au contenu audiovisuel étranger en ligne. »

J'ai l'honneur de proposer que la présente lettre, dont les versions française et anglaise font également foi, et votre lettre de réponse constituent entre nos deux gouvernements un accord, lequel entrera en vigueur à la date d'entrée en vigueur de l'Accord entre le Canada et l'Australie.

Je vous prie d'agréer, Monsieur le Ministre, les assurances de ma très haute considération.



L'honorable François-Philippe Champagne  
Ministre du Commerce international  
Canada



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable François-Philippe Champagne  
Minister of International Trade  
Canada

Dear Minister

I am pleased to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of Australia (Australia) and the Government of Canada (Canada):

Customs duties on Australian originating goods classified under the tariff lines 0201.10.20, 0201.20.20, 0201.30.20, 0202.10.20, 0202.20.20 and 0202.30.20 in Annex 2-D – Schedule of Canada shall be eliminated in accordance with the staging category B6.

I have the further honour of proposing that this letter, equally valid in English and French, and your letter of confirmation in reply shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.”

I have the honour to confirm that the above reflects the agreement reached between our Governments, and that your letter, equally valid in English and French, and this letter in reply shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Australia and Canada.

Yours sincerely



**Steven Ciobo**



8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia


Dear Minister,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of Australia (Australia) and the Government of Canada (Canada):

Customs duties on Australian originating goods classified under the tariff lines 0201.10.20, 0201.20.20, 0201.30.20, 0202.10.20, 0202.20.20 and 0202.30.20 in Annex 2-D – Schedule of Canada shall be eliminated in accordance with the staging category B6.

I have the further honour of proposing that this letter, equally valid in English and French, and your letter of confirmation in reply, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.

Sincerely,



The Honourable Francois-Philippe Champagne  
Minister of International Trade  
Canada



Le 8 mars 2018

L'honorable Steven Ciobo, député  
Ministre du Commerce, du Tourisme et de l'Investissement  
Australie

Monsieur le Ministre,

Dans le cadre de la signature en ce jour de l'Accord de partenariat transpacifique global et progressiste (l'« Accord »), j'ai l'honneur de confirmer l'accord suivant conclu entre le Gouvernement de l'Australie (Australie) et le Gouvernement du Canada (Canada) :

Les droits de douane sur les produits originaires de l'Australie classés sous les numéros tarifaires 0201.10.20, 0201.20.20, 0201.30.20, 0202.10.20, 0202.20.20 et 0202.30.20 à l'annexe 2-D – Liste du Canada sont éliminés conformément à la catégorie d'échelonnement B6.

J'ai également l'honneur de proposer que la présente lettre, dont les versions française et anglaise font également foi, et votre lettre de confirmation en réponse, constituent entre nos gouvernements un accord, assujéti à la procédure de règlement des différends prévue au chapitre 28 (Règlement des différends) de l'Accord, lequel entrera en vigueur à la date d'entrée en vigueur de l'Accord entre le Canada et l'Australie.

Je vous prie d'agréer, Monsieur le Ministre, les assurances de ma très haute considération.



L'honorable François-Philippe Champagne  
Ministre du Commerce international  
Canada



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

The Honourable François-Philippe Champagne  
Minister of International Trade  
Canada

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of Canada (Canada) and the Government of Australia (Australia):

For the purposes of determining whether a good of heading 87.03 qualifies as originating in accordance with Chapter 3 (Rules of Origin and Origin Procedures) of the Agreement, the applicable product specific rule of origin shall be:

- (i) A change to a good of subheading 87.03 from any other heading; or
- (ii) No change in tariff classification required for a good of heading 87.03, provided there is a regional value content of not less than:
  - (a) 40 per cent under the net cost method; or
  - (b) 50 per cent under the build-down method.

I have the further honour of proposing that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.

Yours sincerely



**Steven Ciobo**



8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

I am pleased to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of Canada (Canada) and the Government of Australia (Australia):

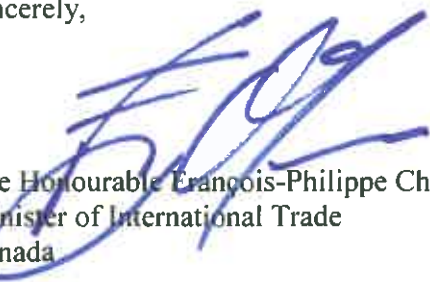
For the purposes of determining whether a good of heading 87.03 qualifies as originating in accordance with Chapter 3 (Rules of Origin and Origin Procedures) of the Agreement, the applicable product specific rule of origin shall be:

- (i) A change to a good of subheading 87.03 from any other heading; or
- (ii) No change in tariff classification required for a good of heading 87.03, provided there is a regional value content of not less than:
  - (a) 40 per cent under the net cost method; or
  - (b) 50 per cent under the build-down method.

I have the honour of proposing that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Canada and Australia.”

I have the honour to confirm that the above reflects the agreement reached between our Governments during the course of negotiations on the Agreement and that your letter and this letter in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the Agreement, which shall enter into force on the date of entry into force of the Agreement as between Australia and Canada.

Sincerely,



The Honourable Francois-Philippe Champagne  
Minister of International Trade  
Canada





Le 8 mars 2018

L'honorable Steven Ciobo, député  
Ministre du Commerce, du Tourisme et de l'Investissement  
Australie

Monsieur le Ministre,

J'ai l'honneur d'accuser réception de votre lettre du 8 mars 2018, dont la teneur est la suivante :

« Dans le cadre de la signature en ce jour de l'Accord de partenariat transpacifique global et progressiste (l'« Accord »), j'ai l'honneur de confirmer l'accord suivant conclu entre le Gouvernement du Canada (Canada) et le Gouvernement de l'Australie (Australie) :

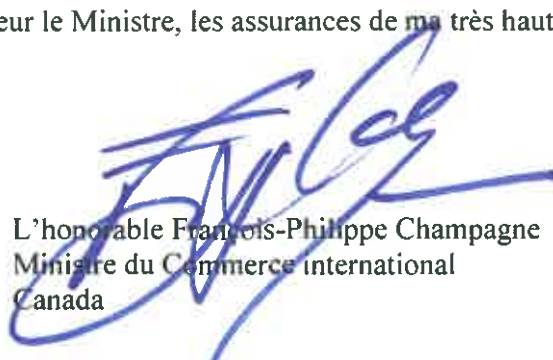
Afin de déterminer si un produit de la position 87.03 est ou non admissible à titre de produit originaire aux termes du chapitre 3 (Règles d'origine et procédures d'origine) de l'Accord, la règle d'origine spécifique applicable au produit est la suivante :

- i) Un changement à un produit de la sous-position 87.03 de toute autre position; ou
- ii) Aucun changement de la classification tarifaire nécessaire pour un produit de la position 87.03, à la condition que la teneur en valeur régionale ne soit pas inférieure à :
  - a) 40 p. 100 selon la méthode du coût net; ou
  - b) 50 p. 100 selon la méthode régressive.

J'ai également l'honneur de proposer que la présente lettre et votre lettre de confirmation en réponse à celle-ci, dont les versions française et anglaise font également foi, constituent entre nos gouvernements un accord assujéti, à la procédure de règlement des différends prévue au chapitre 28 (Règlement des différends) de l'Accord, lequel entrera en vigueur à la date d'entrée en vigueur de l'Accord entre le Canada et l'Australie. »

J'ai l'honneur de confirmer que la lettre qui précède reflète l'accord conclu entre nos gouvernements durant les négociations de l'Accord, et que votre lettre et la présente lettre en réponse, dont les versions française et anglaise font également foi, constituent un accord entre nos gouvernements, assujéti à la procédure de règlement des différends prévue au chapitre 28 (Règlement des différends) de l'Accord, lequel entrera en vigueur à la date d'entrée en vigueur de l'Accord entre l'Australie et le Canada.

Je vous prie d'agréer, Monsieur le Ministre, les assurances de ma très haute considération.



L'honorable François-Philippe Champagne  
Ministre du Commerce international  
Canada



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm that the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia have reached agreement on electronic commerce as follows:

Both countries shall continue consultation on cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Agreement, Australia shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to measures adopted or maintained pursuant to the Cyber Security Law of Viet Nam, or related legislation concerning cyber security, which is in violation of Viet Nam’s obligations under Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) of Chapter 14 (Electronic Commerce) of the Agreement, for a period of five years after the date of entry into force of this Agreement for Viet Nam.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our Governments, which shall enter into force on the date on which the Agreement enters into force for both Viet Nam and Australia.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply shall constitute an agreement between the Government of Australia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a light blue horizontal line.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia have reached agreement on electronic commerce as follows:

Both countries shall continue consultation on cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Agreement, Australia shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to measures adopted or maintained pursuant to the Cyber Security Law of Viet Nam, or related legislation concerning cyber security, which is in violation of Viet Nam's obligations under Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) of Chapter 14 (Electronic Commerce) of the Agreement, for a period of five years after the date of entry into force of this Agreement for Viet Nam.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our Governments, which shall enter into force on the date on which the Agreement enters into force for both Viet Nam and Australia.

Yours sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”) on this date, I have the honour to confirm that the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia have reached agreement on the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Agreement, as follows:

1. From the date of entry into force of the Agreement for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour).
2. If Australia seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of Chapter 19 (Labour), Australia shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) under Chapter 28 (Dispute Settlement) for a period of three years after the date of entry into force of the Agreement for Viet Nam.
3. Notwithstanding paragraph 2, if Australia seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights), Australia shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) under Chapter 28 (Dispute Settlement) for a period of five years after the date of entry into force of the Agreement for Viet Nam.
4. Pursuant to paragraph 2 of Article 19.12 (Labour Council), after the fifth anniversary and before the seventh anniversary of the date of entry into force of the Agreement for Viet Nam, any issues arising from paragraph 3 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour). This is without prejudice to the rights and obligations of both Parties under the Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Agreement enters into force for both Viet Nam and Australia.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply shall constitute an agreement between the Government of Australia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', with a long, sweeping underline that extends to the left.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement") on this date, I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia have reached agreement on the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Agreement, as follows:

1. From the date of entry into force of the Agreement for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour).
2. If Australia seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of Chapter 19 (Labour), Australia shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) under Chapter 28 (Dispute Settlement) for a period of three years after the date of entry into force of the Agreement for Viet Nam.
3. Notwithstanding paragraph 2, if Australia seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights), Australia shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) under Chapter 28 (Dispute Settlement) for a period of five years after the date of entry into force of the Agreement for Viet Nam.
4. Pursuant to paragraph 2 of Article 19.12 (Labour Council), after the fifth anniversary and before the seventh anniversary of the date of entry into force of the Agreement for Viet Nam, any issues arising from paragraph 3 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour). This is without prejudice to the rights and obligations of both Parties under the Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Agreement enters into force for both Viet Nam and Australia.

Sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam



**THE HON STEVEN CIOBO MP**  
Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I am pleased to acknowledge your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Agreement”), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia:

Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) to Chapter 11 (Financial Services) of the Agreement restricts the right of Viet Nam to adopt or maintain measures that condition the cross-border supply of electronic payment services into Viet Nam by a service supplier of another Party on a requirement that such electronic payment services are processed through a national switching facility licensed by the State Bank of Viet Nam, and that facility is positioned between such supplier and financial institutions<sup>1</sup>/payment intermediaries in Viet Nam. Any such requirement shall:

- (1) not be used as a means of avoiding Viet Nam’s obligations under Section D (Electronic Payment Card Services);
- (2) not result in a competitive disadvantage to the service suppliers of another Party;
- (3) ensure the security, speed or reliability of the services, and preserve the ability of service suppliers of another Party to innovate; and
- (4) not impose unreasonable costs, directly or indirectly, on service suppliers of another Party.

If the national switching facility of Viet Nam and a supplier of another Party enter into an agreement or agreements for the processing of electronic payment transactions that set out standards for operation of that facility, compliance with the terms of the

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<sup>1</sup> For the purpose of this letter, financial institutions include foreign bank branches in Viet Nam.



agreement or agreements shall be deemed to satisfy Viet Nam's obligations under paragraphs (2), (3) and (4) with respect to that supplier.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement for both Viet Nam and Australia."

I have the honour to confirm that the above reflects the agreement reached between our Governments, and that your letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement for both Australia and Viet Nam.

Yours sincerely

A handwritten signature in blue ink, consisting of a long, sweeping horizontal stroke followed by a series of loops and a final upward stroke.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo, MP  
Minister for Trade, Tourism and Investment  
Australia

Dear Minister,

In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia:

Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) to Chapter 11 (Financial Services) of the Agreement restricts the right of Viet Nam to adopt or maintain measures that condition the cross-border supply of electronic payment services into Viet Nam by a service supplier of another Party on a requirement that such electronic payment services are processed through a national switching facility licensed by the State Bank of Viet Nam, and that facility is positioned between such supplier and financial institutions<sup>1</sup>/payment intermediaries in Viet Nam. Any such requirement shall:

- (1) not be used as a means of avoiding Viet Nam's obligations under Section D (Electronic Payment Card Services);
- (2) not result in a competitive disadvantage to the service suppliers of another Party;
- (3) ensure the security, speed or reliability of the services, and preserve the ability of service suppliers of another Party to innovate; and
- (4) not impose unreasonable costs, directly or indirectly, on service suppliers of another Party.

If the national switching facility of Viet Nam and a supplier of another Party enter into an agreement or agreements for the processing of electronic payment transactions that set out standards for operation of that facility, compliance with the terms of the agreement or agreements shall be deemed to satisfy Viet Nam's obligations under paragraphs (2), (3) and (4) with respect to that supplier.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement for both Viet Nam and Australia.

Sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

<sup>1</sup> For the purpose of this letter, financial institutions include foreign bank branches in Viet Nam.



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs  
Chile

Dear Minister

I have the honour to acknowledge the receipt of Your Excellency's letter of today's date, which reads as follows:

“In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), the Government of Chile (Chile) and the Government of Australia (Australia) confirm their shared understanding of Section D: Electronic Payment Card Services of Annex 11-B (Specific Commitments), of Chapter 11 (Financial Services), of the Trans-Pacific Partnership Agreement, signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, as follows:

Chile and Australia understand that the laws and regulations of Chile applicable to the supply of electronic payment services for payment card transactions in force on the date of this letter, comply with the commitments established in Section D: Electronic Payment Card Services of Annex 11-B (Specific Commitments), of Chapter 11 (Financial Services). Accordingly, nothing in the referred to Section D requires Chile to modify its laws and regulations applicable to the supply of electronic payment services for payment card transactions.

I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of Chile during the course of negotiations on the Agreement, and that your letter and this letter in reply will constitute an understanding between the Government of Australia and the Government of Chile, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a horizontal line.

**Steven Ciobo**



**REPUBLICA DE CHILE**  
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia

Dear Minister Ciobo,

In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), the Government of Chile (Chile) and the Government of Australia (Australia) confirm their shared understanding of Section D: Electronic Payment Card Services of Annex 11-B (Specific Commitments), of Chapter 11 (Financial Services), of the Trans-Pacific Partnership Agreement, signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, as follows:

Chile and Australia understand that the laws and regulations of Chile applicable to the supply of electronic payment services for payment card transactions in force on the date of this letter, comply with the commitments established in Section D: Electronic Payment Card Services of Annex 11-B (Specific Commitments), of Chapter 11 (Financial Services). Accordingly, nothing in the referred to Section D requires Chile to modify its laws and regulations applicable to the supply of electronic payment services for payment card transactions.

I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.

Yours sincerely,



Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs



**THE HON STEVEN CIOBO MP**  
Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs  
Chile

Dear Minister

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), the Government of Chile (Chile) and the Government of Australia (Australia) confirm their shared understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Trans-Pacific Partnership Agreement, signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, as follows:

Chile and Australia recognize that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that such conditions, limitations or exceptions are consistent with the provisions of Chapter 18 (Intellectual Property).

I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of Chile during the course of negotiations on the Agreement, and that your letter and this letter in reply will constitute an understanding between the Government of Australia and the Government of Chile, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a blue line.

**Steven Ciobo**



**REPUBLICA DE CHILE**  
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia

Dear Minister Ciobo,

In connection with the signing on this date in Santiago, Chile, of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), the Government of Chile (Chile) and the Government of Australia (Australia) confirm their shared understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Trans-Pacific Partnership Agreement, signed on 4 February 2016, in Auckland, New Zealand, incorporated, by reference, into and made part of the Agreement *mutatis mutandis*, as follows:

Chile and Australia recognize that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that such conditions, limitations or exceptions are consistent with the provisions of Chapter 18 (Intellectual Property).

I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Australia and Chile.

Yours sincerely,



Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs



**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:

Australia will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with regard to the obligations of Viet Nam under Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of the Agreement for both Viet Nam and Australia.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely



**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia

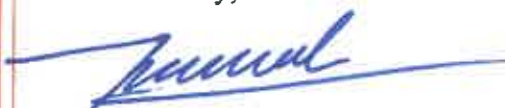
Dear Minister,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:

Australia will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with regard to the obligations of Viet Nam under Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of the Agreement for both Viet Nam and Australia.

Yours sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam





## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Australia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of this Agreement for both Viet Nam and Australia.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a white background.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia

Dear Minister,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Australia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of this Agreement for both Viet Nam and Australia.

Yours sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam