

Auckland, New Zealand, 4 February 2016

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

Dear Minister

In connection with the signing on 4 February 2016 of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following agreement reached between the Government of Chile and the Government of Australia during the course of negotiations of the TPP Agreement.

The Government of the Republic of Chile and the Government of Australia reaffirm 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 (ACIFTA), signed at Canberra, Australia, the 30<sup>th</sup> day of July, 2008 shall continue to apply between the Parties.

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

Yours sincerely,

Heraldo Muñoz  
Minister of Foreign Affairs

Auckland, New Zealand, 4 February 2016

Heraldo Muñoz  
Minister of Foreign Affairs of Chile  
Republic of Chile

Dear Minister

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

“In connection with the signing on 4 February 2016 of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following agreement reached between the Government of Chile and the Government of Australia during the course of negotiations of the TPP Agreement.

The Government of the Republic of Chile and the Government of Australia reaffirm 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 (ACIFTA), signed at Canberra, Australia, the 30th day of July, 2008 shall continue to apply between the Parties.

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

I have the 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 TPP Agreement, and that your letter, equally valid in English and Spanish, and this letter in reply shall constitute an agreement between Australia and Chile.

Yours sincerely

Andrew Robb