

UK ACESSTION TO THE CPTPP: SIDE INSTRUMENTS WITH CPTPP PARTIES

**Unofficial compilation prepared by the WTO Secretariat.
Official documents can be found in Parties' websites.**

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Source: WTO Secretariat based on the Accession Protocol and related legal instruments.



Department for
Business & Trade

International treaty

CPTPP: Joint Declaration on the Extension of Chapters to Crown Dependencies

Published 17 July 2023



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EXTENSION OF CPTPP CHAPTERS TO CROWN DEPENDENCIES

1. The United Kingdom and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Parties share an intention to discuss extension of further Chapters of the TPP as incorporated into the CPTPP, specifically, Chapter 9 (Investment), Chapter 10 (Cross-Border Trade in Services), Chapter 11 (Financial Services), Chapter 12 (Temporary Entry for Business Persons), Chapter 13 (Telecommunications), Chapter 14 (Electronic Commerce), Chapter 15 (Government Procurement) and Chapter 18 (Intellectual Property) to the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man, pursuant to Article 2.6 and Article 2.7 (Provisions Relevant to Chapter 1 (Initial Provisions and General Definitions)) of the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Protocol).
2. The United Kingdom and the CPTPP Parties will aim to commence discussions on the extension of the Chapters referred to in paragraph 1 as soon as possible in order that any agreed extension is able to enter into force as soon as is practicable after entry into force of the Protocol.



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Senator the Hon Tim Ayres
Assistant Minister for Trade
Assistant Minister for Manufacturing

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), and in the context of the strengthening economic partnership of our two nations under the *Free Trade Agreement between Australia and the United Kingdom of Great Britain and Northern Ireland* done at Adelaide and London, on 17 December 2021, I have the honour to confirm the following agreement reached between the Government of Australia (Australia) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

1. No investor of the United Kingdom shall have recourse to dispute settlement against Australia under Chapter 9, Section B (Investor-State Dispute Settlement) of the *Trans-Pacific Partnership Agreement* as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the TPP as incorporated into the CPTPP).
2. No investor of Australia shall have recourse to dispute settlement against the United Kingdom under Chapter 9, Section B (Investor-State Dispute Settlement) of the TPP as incorporated into the CPTPP.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Ayres', written over a light blue horizontal line.

Senator the Hon Tim Ayres
Assistant Minister for Trade
Australia



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Senator the Hon Tim Ayres
Assistant Minister for Trade
Assistant Minister for Manufacturing
Senate
Parliament House
Canberra ACT 2600

16 July 2023

Dear Senator Ayres,

I have the honour of acknowledging receipt of your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), and in the context of the strengthening economic partnership of our two nations under the *Free Trade Agreement between Australia and the United Kingdom of Great Britain and Northern Ireland* done at Adelaide and London, on 17 December 2021, I have the honour to confirm the following agreement reached between the Government of Australia (Australia) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

1. No investor of the United Kingdom shall have recourse to dispute settlement against Australia under Chapter 9, Section B (Investor-State Dispute Settlement) of the *Trans-Pacific Partnership Agreement* as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the TPP as incorporated into the CPTPP).
2. No investor of Australia shall have recourse to dispute settlement against the United Kingdom under Chapter 9, Section B (Investor-State Dispute Settlement) of the TPP as incorporated into the CPTPP.

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

I have the further honour to confirm that your letter reflects the agreement reached between the Governments of the United Kingdom and Australia during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Australia, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Australia.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kemi Badenoch', written in a cursive style.

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Senator the Hon Tim Ayres
Assistant Minister for Trade
Assistant Minister for Manufacturing
Senate
Parliament House
Canberra ACT 2600

16 July 2023

Dear Senator Ayres,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Australia with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

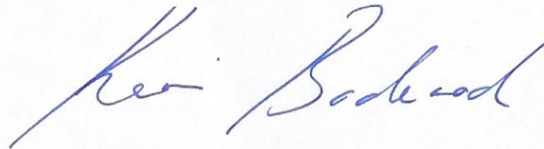
¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Australia.

Yours sincerely,



THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



Senator the Hon Tim Ayres
Assistant Minister for Trade
Assistant Minister for Manufacturing

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Australia with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

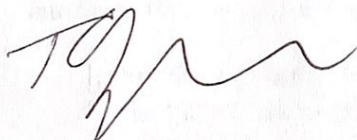
² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Australia.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Australia and the United Kingdom.

Yours sincerely,



Senator the Hon Tim Ayres
Assistant Minister for Trade
Australia



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Dato Dr. Amin Liew Abdullah
Minister at the Prime Minister's Office and
Minister of Finance and Economy II
Ministry of Finance and Economy
Brunei Darussalam

16 July 2023

Dear Dato Dr. Amin Liew Abdullah,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Brunei Darussalam with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Brunei Darussalam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



منتري دجايتن قردان منتري دان
منتري كواشن دان ايكونومي ٢

MENTERI DI JABATAN PERDANA MENTERI DAN
MENTERI KEWANGAN DAN EKONOMI II
MINISTER AT THE PRIME MINISTER'S OFFICE AND
MINISTER OF FINANCE AND ECONOMY II

Telephone : 2383819

KKW/MKEII/417

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

"In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Brunei Darussalam with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Brunei Darussalam.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Brunei Darussalam and the United Kingdom.

Yours sincerely,

[DATO DR AMIN LIEW ABDULLAH]
Minister at the Prime Minister’s Office and
Minister of Finance and Economy II



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Ministry of Foreign Affairs
Teatinos 180
Santiago

16 July 2023

Dear Under-Secretary Sanhueza,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Chile (Chile) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

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2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Chile.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

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“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Chile (Chile) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

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3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Chile.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Protocol as between Chile and the United Kingdom.

Yours sincerely,

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Republic of Chile

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom), during the course of negotiations on the Protocol:

“Chile and the United Kingdom reaffirm their commitments with respect to:

- geographical indications under Annex V (Agreement on Trade in Wines), Title I (Mutual Protection of Geographical Indications of Names for Wine);
- designated protections under Annex VI (Agreement on Trade in Spirit Drinks and Aromatised Drinks), Title I (Mutual Protection of Protected Designations for Spirit Drinks and Aromatised Drinks),

both to the *Agreement Establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part*, done at Brussels on 18 November 2002, as incorporated *mutatis mutandis* into, and further modified by, the *Agreement Establishing an Association between the Republic of Chile and the United Kingdom of Great Britain and Northern Ireland*, done at Santiago on 30 January 2019.”

I have the further honour to propose that this letter and your letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.

Yours sincerely,

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Republic of Chile



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Ministry of Foreign Affairs
Teatinos 180
Santiago

16 July 2023

Dear Under-Secretary Sanhueza,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom), during the course of negotiations on the Protocol:

“Chile and the United Kingdom reaffirm their commitments with respect to:

- geographical indications under Annex V (Agreement on Trade in Wines), Title I (Mutual Protection of Geographical Indications of Names for Wine);
- designated protections under Annex VI (Agreement on Trade in Spirit Drinks and Aromatised Drinks), Title I (Mutual Protection of Protected Designations for Spirit Drinks and Aromatised Drinks),

both to the *Agreement Establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part*, done at Brussels on 18 November 2002, as incorporated *mutatis mutandis* into, and further modified by, the *Agreement Establishing an Association between the Republic of Chile and the United Kingdom of Great Britain and Northern Ireland*, done at Santiago on 30 January 2019.”

I have the further honour to propose that this letter and your letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.”

I have the further honour to confirm that your letter reflects the understanding reached between our two Governments during the course of negotiations on the Protocol, and that your letter and this letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between the Government of the United Kingdom and the Government of Chile, which will come into effect on the date of entry into force of the Protocol as between the United Kingdom and Chile.

Yours sincerely,

THE RT HON KEMI BADENOCH MP

Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (CPTPP):

“The Government of Chile and the Government of the United Kingdom recognise 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 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 of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.

Yours sincerely,

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Republic of Chile



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Ministry of Foreign Affairs
Teatinos 180
Santiago

16 July 2023

Dear Under-Secretary Sanhueza,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (CPTPP):

“The Government of Chile and the Government of the United Kingdom recognise 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 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 of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.”

I have the further honour to confirm that your letter reflects the understanding reached between our two Governments during the course of negotiations on the Protocol, and that your letter and this letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between the Government of the United Kingdom and the Government of Chile, which will come into effect on the date of entry into force of the Protocol as between the United Kingdom and Chile.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Chile and the United Kingdom 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) of the Trans-Pacific Partnership Agreement as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*. Accordingly, nothing in the referred 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 of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.

Yours sincerely,

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Republic of Chile



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for
Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Ministry of Foreign Affairs
Teatinos 180
Santiago

16 July 2023

Dear Under-Secretary Sanhueza,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Chile and the United Kingdom 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) of the Trans-Pacific Partnership Agreement as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*. Accordingly, nothing in the referred 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 of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile and the United Kingdom.”

I have the further honour to confirm that your letter reflects the understanding reached between our two Governments during the course of negotiations on the Protocol, and that your letter and this letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between the Government of the United Kingdom and the Government of Chile, which will come into effect on the date of entry into force of the Protocol as between the United Kingdom and Chile.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Minister Shigeyuki GOTO
Minister in Charge of Economic Revitalization of Japan

16 July 2023

Dear Minister GOTO,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Japan with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Japan.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

Auckland, July 16, 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
and President of the Board of Trade
Minister for Women and Equalities

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of July 16, 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Japan with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Japan.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Japan and the United Kingdom.

Yours sincerely,

GOTO Shigeyuki
Minister in Charge of
Economic Revitalization of Japan



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Hon. Tengku Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

Dear Minister,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) and the Government of Malaysia (“Malaysia”) during the course of negotiations on the Protocol:

“A decision made by Malaysian Ministers under the *Promotion of Investments Act 1986* [Act 327], the *Income Tax Act 1967* [Act 53], the *Petroleum Development Act 1974* [Act 144] and the *Industrial Co-ordination Act 1975* [Act 156] on whether or not to approve or admit a foreign investment proposal, shall not be subject to the dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018.”

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 Protocol enters into force for both the United Kingdom and Malaysia.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour of acknowledging receipt of your letter of today's date, which states as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) and the Government of Malaysia (“Malaysia”) during the course of negotiations on the Protocol:

“A decision made by Malaysian Ministers under the *Promotion of Investments Act 1986* [Act 327], the *Income Tax Act 1967* [Act 53], the *Petroleum Development Act 1974* [Act 144] and the *Industrial Co-ordination Act 1975* [Act 156] on whether or not to approve or admit a foreign investment proposal, shall not be subject to the dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018.”

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 Protocol enters into force for both the United Kingdom and Malaysia.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of Malaysia and the Government of the United Kingdom, which shall enter into force on the date on which the Protocol enters into force for both Malaysia and the United Kingdom.

Yours sincerely,

Tengku Datuk Seri Utama Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

The Rt Hon Kemi Badenoch MP

Secretary of State for Business and Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of Malaysia and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol with regard to Chapter 17 (State-Owned Enterprises and Designated Monopolies) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the “TPP as incorporated into the CPTPP”):

1. The United Kingdom will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to the commitment of Malaysia regarding PETRONAS as contained in subparagraphs (a) through (l) in the Scope of Non-Conforming Activities of ANNEX – IV – MALAYSIA – 3 for a period of five years after the entry into force of the CPTPP for Malaysia.
2. After the five year-period, i.e., 29 November 2027, Malaysia and the United Kingdom will conduct consultations with a view to deciding on actions to be taken after such period.

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 Protocol enters into force for both Malaysia and the United Kingdom.

Yours sincerely,

Tengku Datuk Seri Utama Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Hon. Tengku Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

Dear Minister,

I have the honour of acknowledging receipt of your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of Malaysia and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol with regard to Chapter 17 (State-Owned Enterprises and Designated Monopolies) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the “TPP as incorporated into the CPTPP”):

1. The United Kingdom will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to the commitment of Malaysia regarding PETRONAS as contained in subparagraphs (a) through (l) in the Scope of Non-Conforming Activities of ANNEX – IV – MALAYSIA – 3 for a period of five years after the entry into force of the CPTPP for Malaysia.
2. After the five year-period, i.e., 29 November 2027, Malaysia and the United Kingdom will conduct consultations with a view to deciding on actions to be taken after such period.

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 Protocol enters into force for both Malaysia and the United Kingdom.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply

shall constitute an agreement between the Government of the United Kingdom and the Government of Malaysia, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Malaysia.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Hon. Tengku Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

Dear Minister,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Government of Malaysia during the course of negotiations on the Protocol:

1. 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 Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the “TPP as incorporated into the CPTPP”), the applicable product specific rule of origin will be:
 - (a) no change in tariff classification required for a good of heading 87.03, provided there is a regional value content of not less than:
 - (i) 25 per cent under the build-down method; or
 - (ii) 25 per cent under the build-up method.
2. Malaysia shall not:
 - (a) apply any quantitative limit on the importation of originating new motor vehicles from the United Kingdom, including any limit applicable to vehicles that are subject to an import licensing requirement; or
 - (b) impose any new or additional charge applicable to the importation of originating motor vehicles from the United Kingdom.

3. Malaysia's commitments in paragraph two of this letter shall apply notwithstanding any provisions of Chapter 29 (Exceptions and General Provisions) of the TPP as incorporated into the CPTPP.
4. In order to enhance the benefits of the CPTPP, the United Kingdom shall endeavour to facilitate technical cooperation and capacity building activities with Malaysia in areas of mutual interest in the automotive sector.

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, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Malaysia.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP

Secretary of State for Business and Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Protocol”), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Government of Malaysia during the course of negotiations on the Protocol:

1. 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 Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the “TPP as incorporated into the CPTPP”), the applicable product specific rule of origin will be:
 - (a) no change in tariff classification required for a good of heading 87.03, provided there is a regional value content of not less than:
 - (i) 25 per cent under the build-down method; or
 - (ii) 25 per cent under the build-up method.
2. Malaysia shall not:
 - (a) apply any quantitative limit on the importation of originating new motor vehicles from the United Kingdom, including any limit applicable to vehicles that are subject to an import licensing requirement; or
 - (b) impose any new or additional charge applicable to the importation of originating motor vehicles from the United Kingdom.

3. Malaysia's commitments in paragraph two of this letter shall apply notwithstanding any provisions of Chapter 29 (Exceptions and General Provisions) of the TPP as incorporated into the CPTPP.
4. In order to enhance the benefits of the CPTPP, the United Kingdom shall endeavour to facilitate technical cooperation and capacity building activities with Malaysia in areas of mutual interest in the automotive sector.

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, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Malaysia.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of Malaysia and the Government of the United Kingdom, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both Malaysia and the United Kingdom.

Yours sincerely,

Tengku Datuk Seri Utama Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
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Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Hon. Tengku Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

Dear Minister,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Malaysia with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Malaysia.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and Malaysia with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

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5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Malaysia.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Malaysia and the United Kingdom.

Yours sincerely,

Tengku Datuk Seri Utama Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between the Government of New Zealand and the Government of the United Kingdom of Great Britain and Northern Ireland (the United Kingdom) during the course of negotiations on the Protocol:

1. No investor of New Zealand shall have recourse to dispute settlement against the United Kingdom under Chapter 9, Section B (Investor-State Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the TPP as incorporated into the CPTPP).
2. No investor of the United Kingdom shall have recourse to dispute settlement against New Zealand under Chapter 9, Section B (Investor-State Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both New Zealand and the United Kingdom.

Yours sincerely

Hon Damien O'Connor
Minister for Trade and Export Growth
New Zealand



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Hon Damien O'Connor
Minister for Trade and Export Growth
New Zealand

16 July 2023

Dear Minister O'Connor

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1. No investor of New Zealand shall have recourse to dispute settlement against the United Kingdom under Chapter 9, Section B (Investor-State Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP), done at Auckland on 4 February 2016, as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP), done at Santiago on 8 March 2018 (the TPP as incorporated into the CPTPP).
2. No investor of the United Kingdom shall have recourse to dispute settlement against New Zealand under Chapter 9, Section B (Investor-State Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both New Zealand and the United Kingdom.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of New

Zealand, which shall enter into force on the date on which the Protocol enters into force for both New Zealand and the United Kingdom.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
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President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
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Minister for Trade and Export Growth
New Zealand

16 July 2023

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1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
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5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and New Zealand.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

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1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

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5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between New Zealand and the United Kingdom.

Yours sincerely,

Hon Damien O’Connor
Minister for Trade and Export Growth
New Zealand



PERÚ

Ministerio
de Comercio Exterior
y TurismoDespacho
Ministerial

“Decenio de la Igualdad de Oportunidades para Mujeres y Hombres”
“Año de la unidad, la paz y el Desarrollo”

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Peru (Peru) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom), during the course of negotiations on the Protocol:

“Peru and the United Kingdom recognise that appropriate access to traditional knowledge associated with genetic resources, as well as the equitable sharing of benefits that may result from the utilisation of such knowledge, will be subject to prior informed consent in accordance with domestic law, and can be adequately addressed through contracts or other instruments that reflect mutually agreed terms between users and providers.”

I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.

Yours sincerely,

Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru





SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for
Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
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Mr. Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru

16 July 2023

Dear Minister Mathews,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Peru (Peru) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom), during the course of negotiations on the Protocol:

“Peru and the United Kingdom recognise that appropriate access to traditional knowledge associated with genetic resources, as well as the equitable sharing of benefits that may result from the utilisation of such knowledge, will be subject to prior informed consent in accordance with domestic law, and can be adequately addressed through contracts or other instruments that reflect mutually agreed terms between users and providers.”

I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.”

I have the further honour to confirm that the above letter reflects the shared understanding reached between our two Governments during the course of negotiations on the Protocol, and that your letter and this letter in reply, equally valid in English and Spanish, will constitute a shared understanding between the Government of the United Kingdom and the Government of Peru, which will come into effect on the date on which the

Protocol enters into force for both the United Kingdom and Peru.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



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Old Admiralty Building
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SW1A 2DY

Dear Secretary Badenoch,

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“Peru and the United Kingdom reaffirm their respective rights and obligations under Section 2 (“Geographical Indications”) of Chapter 3 in Title VII (“Intellectual Property”), Annex XIII (Lists of Geographical Indications), and the *Joint Declaration on Geographical Indications*, of the *Trade Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Colombia, the Republic of Ecuador and the Republic of Peru, of the other part*, done at Quito on 15 May 2019.”

I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.

Yours sincerely,

Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru





SECRETARY OF STATE
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Department for
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The Rt Hon Kemi Badenoch MP
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President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
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SW1A 2DY

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Minister of Foreign Trade and Tourism
Republic of Peru

16 July 2023

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I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.”

I have the further honour to confirm that your letter reflects the shared understanding reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply, equally valid in English and Spanish, will constitute a shared understanding between the Government of the

United Kingdom and the Government of Peru, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.

Yours sincerely,

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Minister for Women & Equalities



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“Decenio de la Igualdad de Oportunidades para Mujeres y Hombres”
“Año de la unidad, la paz y el Desarrollo”

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following understanding reached between the Government of the Republic of Peru (Peru) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom), during the course of negotiations on the Protocol with regard to Annex 26-A (Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices) contained in Chapter 26 (Transparency and Anti-Corruption) of the Trans-Pacific Partnership Agreement as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*:

“The Parties recognise that, with regard to Article 2 (Principles) of Annex 26-A (Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices), it is understood that “high-quality health care” does not refer to specific final outcomes in a Party’s health care system, including the selection of specific pharmaceutical products.”

I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.

Your sincerely,

Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru





SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

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“The Parties recognise that, with regard to Article 2 (Principles) of Annex 26-A (Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices), it is understood that “high-quality health care” does not refer to specific final outcomes in a Party's health care system, including the selection of specific pharmaceutical products.”

I have the further honour to propose that this letter and your letter in reply, equally valid in English and Spanish, will constitute a shared understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.”

I have the further honour to confirm that your letter reflects the shared understanding reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply, equally valid in English and Spanish, will constitute a shared understanding between the Government of the

United Kingdom and the Government of Peru, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Peru.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Mr. Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru

16 July 2023

Dear Minister Mathews,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Peru (Peru) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Peru.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



PERÚ

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y TurismoDespacho
Ministerial

“Decenio de la Igualdad de Oportunidades para Mujeres y Hombres”
“Año de la unidad, la paz y el Desarrollo”

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Peru (Peru) with regard to the application of Article 18.38 (Grace Period) of the *Trans-Pacific Partnership Agreement*, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.





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y TurismoDespacho
Ministerial

"Decenio de la Igualdad de Oportunidades para Mujeres y Hombres"
"Año de la unidad, la paz y el Desarrollo"

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Peru.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this letter of confirmation in reply, equally authentic in English and Spanish, shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Protocol as between Peru and the United Kingdom.

Yours sincerely,

Juan Carlos Mathews Salazar
Minister of Foreign Trade and Tourism
Republic of Peru



16 July 2023



MINISTER FOR TRADE AND INDUSTRY
SINGAPORE

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
United Kingdom of Great Britain and Northern Ireland

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* ("Protocol"), I have the honour to confirm the following agreement reached between the Government of the Republic of Singapore ("Singapore") and the Government of the United Kingdom of Great Britain and Northern Ireland (the "United Kingdom") during the course of negotiations on the Protocol:

1. Subject to paragraph 2, a decision made by Singapore on whether or not to approve or admit a foreign investment proposal, shall not be subject to the dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the *Trans-Pacific Partnership Agreement*, done at Auckland on 4 February 2016 that are incorporated, by reference, into and made part of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 *mutatis mutandis*.
2. The operation of paragraph 1 shall be conditional on an agreement between Singapore and the United Kingdom that a measure introduced by Singapore to approve or admit a foreign investment is non-discriminatory and does not violate due process. In the event of a disagreement, Singapore and the United Kingdom shall enter into consultations with a view to arrive at a mutually agreeable solution.

I have the honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both Singapore and the United Kingdom.

Yours sincerely,

The Honourable Gan Kim Yong
Minister for Trade and Industry
Republic of Singapore



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

The Honourable Gan Kim Yong
Minister for Trade and Industry
Republic of Singapore

16 July 2023

Dear Minister Gan,

I have the honour to acknowledge receipt of your letter of today's date, which reads:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (“Protocol”), I have the honour to confirm the following agreement reached between the Government of the Republic of Singapore (“Singapore”) and the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) during the course of negotiations on the Protocol:

1. Subject to paragraph 2, a decision made by Singapore on whether or not to approve or admit a foreign investment proposal, shall not be subject to the dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the *Trans-Pacific Partnership Agreement*, done at Auckland on 4 February 2016 that are incorporated, by reference, into and made part of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 *mutatis mutandis*.
2. The operation of paragraph 1 shall be conditional on an agreement between Singapore and the United Kingdom that a measure introduced by Singapore to approve or admit a foreign investment is non-discriminatory and does not violate due process. In the event of a disagreement, Singapore and the United Kingdom shall enter into consultations with a view to arrive at a mutually agreeable solution.

I have the honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both Singapore and the United Kingdom.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of

Singapore, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Singapore.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

The Honourable Gan Kim Yong
Minister for Trade and Industry
Republic of Singapore

16 July 2023

Dear Minister Gan,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Singapore (Singapore) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Singapore.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



MINISTER FOR TRADE AND INDUSTRY
SINGAPORE

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
United Kingdom of Great Britain and Northern Ireland

Dear Secretary Badenoch,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Republic of Singapore (Singapore) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).

2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Singapore.”

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Singapore and the United Kingdom.

Yours sincerely,

The Honourable Gan Kim Yong
Minister for Trade and Industry
Republic of Singapore

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

“The United Kingdom will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP 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 TPP as incorporated into the CPTPP for a period of five years after the fifth anniversary of the date of entry into force of the CPTPP for Viet Nam.”

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 Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for
Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

I have the honour of acknowledging receipt of your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

“The United Kingdom will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP 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 TPP as incorporated into the CPTPP for a period of five years after the fifth anniversary of the date of entry into force of the CPTPP for Viet Nam.”

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 Protocol enters into force for both Viet Nam and the United Kingdom.”

I have the further honour to confirm that your letter reflects the understanding reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply will constitute a shared understanding between the Government of the United Kingdom and the Government

of Viet Nam, which will come into effect on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

“Viet Nam and the United Kingdom recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the TPP as incorporated into the CPTPP limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth in 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 will constitute an understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

I have the honour of acknowledging receipt of your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

“Viet Nam and the United Kingdom recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the TPP as incorporated into the CPTPP limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth in 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 will constitute an understanding between our two Governments, which will come into effect on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.”

I have the further honour to confirm that your letter reflects the understanding reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply will constitute a shared understanding between the Government of the United Kingdom and the Government

of Viet Nam, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Both Governments 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 *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP).

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the CPTPP (the TPP as incorporated into the CPTPP), the United Kingdom shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to any measure adopted or maintained pursuant to the *Cyber Security Law* of Viet Nam or related legislation concerning cyber security, which are alleged to be 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 TPP as incorporated into the CPTPP, for a period of five years after the date of entry into force of the CPTPP for Viet Nam.”

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

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Both Governments 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 *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP).

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the CPTPP (the TPP as incorporated into the CPTPP), the United Kingdom shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to any measure adopted or maintained pursuant to the *Cyber Security Law* of Viet Nam or related legislation concerning cyber security, which are alleged to be 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 TPP as incorporated into the CPTPP, for a period of five years after the date of entry into force of the CPTPP for Viet Nam.”

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

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Viet Nam, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between representatives of the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP), 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 institutions¹/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.”

¹ For the purpose of this Letter, financial institutions include foreign bank branches in Viet Nam.

I have the honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, as modified by Article 11.21 (Dispute Settlement) of Chapter 11 (Financial Services) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

Nguyen Hong Dien,
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

I am pleased to acknowledge your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between representatives of the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

“Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP), 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 institutions¹/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

¹ For the purpose of this Letter, financial institutions include foreign bank branches in Viet Nam.

- (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 honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, as modified by Article 11.21 (Dispute Settlement) of Chapter 11 (Financial Services) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam."

I have the honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the United Kingdom and Viet Nam, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, as modified by Article 11.21 (Dispute Settlement) of Chapter 11 (Financial Services) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

1. From the date of entry into force of the CPTPP for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP.
2. If the United Kingdom seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, the United Kingdom shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP for a period of five years after the date of entry into force of the CPTPP for Viet Nam.
3. Pursuant to paragraph 2 of Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, after the fifth anniversary and before the seventh anniversary of the date of entry into force of the CPTPP for Viet Nam, any issues arising from paragraph 2 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP.

This is without prejudice to the rights and obligations of both Parties under the CPTPP.”

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

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Viet Nam, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP

Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

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

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

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Government of the Socialist Republic of Viet Nam (Viet Nam) during the course of negotiations on the Protocol:

- “1. The dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP) shall not apply to:
- (a) a decision made by a competent authority of Viet Nam under the *Law on Investment*,¹ *Law on Securities*,² *Law on Credit Institutions*,³ *Law on Insurance Business*,⁴ *Law on Oil and Gas*,⁵ *Law on Public Private Partnership*,⁶ or *Law on Lawyers*⁷ on whether or not to approve or admit a foreign investment proposal;
 - (b) a decision of a competent authority with respect to an investment that causes or threatens to cause harm to the national security of Viet Nam under the *Law on Investment*⁸ or the *Law on Oil and Gas*⁹.

¹ No. 61/2020/QH14

² No. 54/2019/QH14

³ No. 47/2010/QH12

⁴ No. 08/2022/QH15

⁵ No. 12/2022/QH15

⁶ No. 64/2020/QH14

⁷ No. 65/2006/QH11

⁸ No. 61/2020/QH14

⁹ No. 12/2022/QH15

2. The competent authority shall be as defined under the legislation listed in paragraph 1.”

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

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

I have the honour of acknowledging the receipt of your letter of today's date, which reads as follows:

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Government of the Socialist Republic of Viet Nam (Viet Nam) during the course of negotiations on the Protocol:

“1. The dispute settlement provisions under Section B (Investor-State Dispute Settlement) of Chapter 9 (Investment), or Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP) shall not apply to:

- (a) a decision made by a competent authority of Viet Nam under the *Law on Investment*,¹ *Law on Securities*,² *Law on Credit Institutions*,³ *Law on Insurance Business*,⁴ *Law on Oil and Gas*,⁵ *Law on Public Private Partnership*,⁶ or *Law on Lawyers*⁷ on whether or not to approve or admit a foreign investment proposal;
- (b) a decision of a competent authority with respect to an investment that causes or threatens to cause harm to the national security of Viet Nam under the *Law on Investment*⁸ or the *Law on Oil and Gas*⁹.

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2. The competent authority shall be as defined under the legislation listed in paragraph 1.”

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

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of Viet Nam and the Government of the United Kingdom, which shall enter into force on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), and recognising the *Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Socialist Republic of Viet Nam*, done at London on 29 December 2020, which presently sets out high standards and extensive market access regarding government procurement between our two countries, 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Chapter 15 (Government Procurement) of the Trans-Pacific Partnership Agreement as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the TPP as incorporated into the CPTPP):

“The market access offer in the Schedule of Viet Nam to Annex 15-A of the TPP as incorporated into the CPTPP shall apply to the United Kingdom.”

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), and recognising the *Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Socialist Republic of Viet Nam*, done at London on 29 December 2020, which presently sets out high standards and extensive market access regarding government procurement between our two countries, 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 the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to Chapter 15 (Government Procurement) of the Trans-Pacific Partnership Agreement as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the TPP as incorporated into the CPTPP):

“The market access offer in the Schedule of Viet Nam to Annex 15-A of the TPP as incorporated into the CPTPP shall apply to the United Kingdom.”

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP, which shall enter into force on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.”

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Viet Nam, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the

CPTPP, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities



SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE



Department for Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Socialist Republic of Viet Nam (Viet Nam) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

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

“In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the agreement reached between the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the Governments of the Parties to the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (the CPTPP) during the course of negotiations on the Protocol, which is set out in the following agreement between the United Kingdom and the Socialist Republic of Viet Nam (Viet Nam) with regard to the application of Article 18.38 (Grace Period) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 that is incorporated, by reference, into and made part of the CPTPP *mutatis mutandis* (the TPP as incorporated into the CPTPP) to the United Kingdom:

1. For the purposes of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP, the United Kingdom shall endeavour to promote harmonisation in international fora regarding a grace period consistent with that Article, and consequently shall endeavour to promote the adoption of amendments to the *European Patent Convention*,¹ and, as needed, to the *Strasbourg Patent Convention*,² to incorporate provisions which are substantially the same as, and not inconsistent with, Article 18.38 (Grace Period).
2. Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP shall apply to the United Kingdom after the date on which the amendments referred to in paragraph 1 have entered into force for the United Kingdom.
3. The United Kingdom shall promptly notify the Parties to the CPTPP for which the Protocol has entered into force when the amendments referred to in paragraph 1 have entered into force for the United Kingdom.

¹ *Convention on the Grant of European Patents (European Patent Convention)*, done at Munich on 5 October 1973, as revised by the Act revising Article 63 of the European Patent Convention of 17 December 1991 and the Act revising the European Patent Convention of 29 November 2000.

² *Convention on the Unification of Certain Points of Substantive Law on Patents for Invention*, done at Strasbourg on 27 November 1963.

4. Until the amendments referred to in paragraph 1 enter into force, the United Kingdom shall provide a yearly written report to the Parties to the CPTPP for which the Protocol has entered into force, beginning on the anniversary of the date of entry into force of the Protocol for the United Kingdom, regarding the specific actions the United Kingdom has taken in the preceding 12-month period to promote harmonisation and the adoption of grace period rules in international fora including the European Patent Organisation.
5. Any matter arising under the above paragraphs shall be subject to dispute settlement procedures under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP.

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 setting out the agreement reached between the Government of the United Kingdom and the Governments of the Parties to the CPTPP with respect to the application of Article 18.38 (Grace Period) of the TPP as incorporated into the CPTPP to the United Kingdom, which shall enter into force on the date of entry into force of the Protocol as between the United Kingdom and Viet Nam.”

I have the further honour to confirm that the above reflects the agreement reached between our two Governments during the course of the negotiations of the Protocol, and that your letter and this 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 Protocol as between Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam