



REPUBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES

Santiago, Chile, 8 March 2018

Hon David Parker
Minister for Trade and Export Growth
New Zealand

Dear Minister Parker,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), I have the honour to confirm the following understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Agreement, as follows:

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

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Heraldo Muñoz Valenzuela', written over a light blue horizontal line.

Heraldo Muñoz Valenzuela
Minister of Foreign Affairs
Republic of Chile

8 March 2018

His Excellency

Mr. HERALDO MUÑOZ VALENZUELA

Minister of Foreign Affairs

Chile

Dear Mr. MUÑOZ,

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

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the Agreement), I have the honour to confirm the following understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Agreement, as follows:


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

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



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

Yours sincerely,

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

Hon David Parker
Minister for Trade and Export Growth
New Zealand