

8 March 2018

His Excellency  
Minister Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs  
Chile

Dear Minister Muñoz,

I refer to the *Trans-Pacific Strategic Economic Partnership Agreement* that entered into force on 28 May 2006 ("TPSEP") and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* ("CPTPP") done at Santiago, Chile, on this date (both referred together as the "Agreements").

I have the honour to confirm the following understandings relating to the Agreements reached by New Zealand and Chile during the course of the negotiations on the CPTPP:

1. Nothing in the CPTPP will derogate from the rights and obligations of New Zealand or Chile under the TPSEP. To the greatest extent possible, the Agreements will be interpreted consistently. Where the TPSEP or the CPTPP provides different treatment for an exporter, service supplier or investor of New Zealand or Chile, that exporter, service supplier or investor is entitled to claim the more favourable of the treatment accorded to that exporter, service supplier or investor under the TPSEP or the CPTPP.



2. Article 10.5 of the TPSEP recognises the geographical indications in Annex 10.A of TPSEP.

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 CPTPP enters into force for both New Zealand and Chile.

Yours sincerely,



Hon David Parker  
Minister for Trade and Export Growth  
New Zealand



REPUBLICA DE CHILE  
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

Hon David Parker  
Minister for Trade and Export Growth  
New Zealand

Dear Minister Parker,

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

“I refer to the *Trans-Pacific Strategic Economic Partnership Agreement* that entered into force on 28 May 2006 (“TPSEP”) and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (“CPTPP”) done at Santiago, Chile, on this date (both referred together as the “Agreements”).


I have the honour to confirm the following understandings relating to the Agreements reached by New Zealand and Chile during the course of the negotiations on the CPTPP:

1. Nothing in the CPTPP will derogate from the rights and obligations of New Zealand or Chile under the TPSEP. To the greatest extent possible, the Agreements will be interpreted consistently. Where the TPSEP or the CPTPP provides different treatment for an exporter, service supplier or investor of New Zealand or Chile, that exporter, service supplier or investor is entitled to claim the more favourable of the treatment accorded to that exporter, service supplier or investor under the TPSEP or the CPTPP.
2. Article 10.5 of the TPSEP recognises the geographical indications in Annex 10.A of TPSEP.

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 CPTPP enters into force for both New Zealand and Chile.”

I have the further honour to confirm that your letter reflects the understandings reached between the Governments of Chile and New Zealand during the course of the negotiations on the CPTPP and that your letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the CPTPP enters into force for both New Zealand and Chile.

Yours sincerely,



Heraldo Muñoz Valenzuela  
Minister of Foreign Affairs  
Republic of Chile