



REPUBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

The Honourable
Dato Erywan Pehin Yusof
Second Minister of Foreign Affairs and Trade
Brunei Darussalam

Dear Minister Dato Erywan Pehin Yusof,

I have the honour to confirm the following understanding reached by the Government of the Republic of Chile (Chile) and the Government of Brunei Darussalam (Brunei Darussalam), in the course of the negotiations of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) signed on this day:

Chile and Brunei Darussalam recognise that nothing in 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, signed on 4 February 2016 in Auckland, New Zealand, incorporated by reference, into and made part of the CPTPP *mutatis mutandis*, 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 CPTPP enters into force for both Chile and Brunei Darussalam.

Yours sincerely,

A handwritten signature in blue ink, consisting of several fluid, overlapping strokes.

HERALDO MUÑOZ VALENZUELA
Minister of Foreign Affairs

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مکتوبین حال احوال اور نگرہے دان فرما کعبن
MINISTRY OF FOREIGN AFFAIRS AND TRADE
BRUNEI DARUSSALAM

Your Reference:

Our Reference:

8 March 2018

The Honourable
Heraldo Muñoz Valenzuela
Minister of Foreign Affairs
Chile

Dear Minister Muñoz,

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


"I have the honour to confirm the following understanding reached by the Government of the Republic of Chile (Chile) and the Government of Brunei Darussalam (Brunei Darussalam), in the course of the negotiations of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) signed on this day:

Chile and Brunei Darussalam recognise that nothing in 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, signed on 4 February 2016 in Auckland, New Zealand, incorporated by reference, into and made part of the CPTPP mutatis mutandis, 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 CPTPP enters into force for both Chile and Brunei Darussalam."

I have the further honour to confirm that this understanding is shared by my Government, 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 CPTPP enters into force for both Brunei Darussalam and Chile.

Sincerely,



DATO ERYWAN PEHIN YUSOF

Second Minister of Foreign Affairs and Trade