8 March 2018

Hon David Parker
Minister for Trade and Economic Growth
New Zealand

Dear Minister,

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 reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of New Zealand with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:

New Zealand will refrain from seeking recourse to Chapter 28 (Dispute Settlement) 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) for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute an understanding between our two Governments, which will enter into effect on the date of entry into force of the Agreement for both Viet Nam and New Zealand.

Yours sincerely,



Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

8 March 2018

His Excellency
Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister,

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 reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of New Zealand with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:
>
> New Zealand will refrain from seeking recourse to Chapter 28 (Dispute Settlement) 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) for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.
>
> I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute an understanding between our two Governments,

which will enter into effect on the date of entry into force of the Agreement for both Viet Nam and New Zealand."

I have the further honour to confirm that the above reflects the understandings reached between the Government of New Zealand and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, and that your letter and this letter in reply will constitute an understanding between the Government of New Zealand and the Government of the Socialist Republic of Viet Nam.

Yours sincerely,



Hon David Parker
Minister for Trade and Economic Growth
New Zealand