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