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 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical 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):

> "Viet Nam and the United Kingdom recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the TPP as incorporated into the CPTPP limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth in that Article, provided that the Party continues to give effect to that Article."

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 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical 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):
>
> > "Viet Nam and the United Kingdom recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the TPP as incorporated into the CPTPP limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth in that Article, provided that the Party continues to give effect to that Article."
>
> 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 the United Kingdom and Viet Nam.

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