8 March 2018

Hon David Parker
Minister for Trade and Economic Growth
New Zealand

Dear Minister,

In connection with the signing of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement") on this date, I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of New Zealand have reached agreement on the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Agreement, as follows:

1. From the date of entry into force of the Agreement for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour).

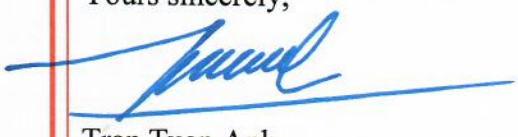
2. If New Zealand seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of Chapter 19 (Labour), New Zealand shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits)of Chapter 28 (Dispute Settlement) for a period of three years after the date of entry into force of this Agreement for Viet Nam.

3. If New Zealand seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights) of Chapter 19 (Labour), New Zealand shall refrain from seeking to suspend benefits stipulated in Article 28.20(Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement) for a period of five years after the date of entry into force of the Agreement for Viet Nam.

4. Pursuant to paragraph 2 of Article 19.12 (Labour Council) of Chapter 19 (Labour), after the fifth anniversary and before the seventh anniversary of the date of entry into force of the Agreement for Viet Nam, any issues arising from paragraph 3 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour). This is without prejudice to the rights and obligations of both Parties under the Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our Governments, which shall enter into force on the date on which the Agreement enters into force 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
Mr. 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 8 March 2018, which reads as follows:

"In connection with the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement") on this date, I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of New Zealand have reached agreement on the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Agreement, as follows:

1. From the date of entry into force of the Agreement for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour).

2. If New Zealand seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of Chapter 19 (Labour), New Zealand shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement)

for a period of three years after the date of entry into force of this Agreement for Viet Nam.

3. If New Zealand seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights) of Chapter 19 (Labour), New Zealand shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement) for a period of five years after the date of entry into force of the Agreement for Viet Nam.

4. Pursuant to paragraph 2 of Article 19.12 (Labour Council) of Chapter 19 (Labour), after the fifth anniversary and before the seventh anniversary of the date of entry into force of the Agreement for Viet Nam, any issues arising from paragraph 3 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour). This is without prejudice to the rights and obligations of both Parties under the Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our Governments, which shall enter into force on the date on which the Agreement enters into force for both Viet Nam and New Zealand."

I have the further honour to confirm that the above reflects the agreement 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 shall constitute an agreement

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