8 March 2018

His Excellency
Mr. J.Jayasiri
Secretary General
Ministry of International Trade and Industry
Malaysia

Dear Secretary General,

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 that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Malaysia have reached agreement on electronic commerce as follows:

The Government of Viet Nam and the Government of Malaysia shall continue consultation on cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Agreement, Malaysia shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to measures adopted or maintained pursuant to the Cyber Security Law of Viet Nam, or related legislation concerning cyber security, which are alleged to be in violation of Viet Nam's obligations under Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) of Chapter 14 (Electronic Commerce) of the Agreement, for a period of five years after the date of entry into force of this Agreement for Viet Nam.

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 Malaysia.

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 on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Malaysia have reached agreement on electronic commerce as follows:

The Government of Viet Nam and the Government of Malaysia shall continue consultation on cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement) of Chapter 14 (Electronic Commerce) of the Agreement, Malaysia shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to measures adopted or maintained pursuant to the Cyber Security Law of Viet Nam, or related legislation concerning cyber security, which are alleged to be in violation of Viet Nam's obligations under Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) of Chapter 14 (Electronic Commerce) of the Agreement, for a period of five years after the date of entry into force of this Agreement for Viet Nam.

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 Malaysia."

I have the further honour to confirm that the above reflects the agreement reached between the Government of Malaysia 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 Malaysia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely,

J.Jayasri
Secretary General
Ministry of International Trade and Industry
Malaysia