



THE HON STEVEN CIOBO MP
Minister for Trade, Tourism and Investment

8 March 2018

His Excellency
Mr. Hernán
Minister of
Chile

Dear Minister

I have

I have
between
negotiations
under
commercial
Chile

Your



Steven Ciobo



REPUBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

The Hon Steven Ciobo
Minister for Trade, Tourism and
Export Services
Canberra, Australia

Dear Minister Ciobo

In connection with the signing of the Comprehensive Economic and Trade Agreement for Trans-Pacific Partnership (the Agreement), the Government of Chile (Chile) and the Government of Australia (Australia) confirm their shared understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Agreement, signed in Auckland, New Zealand, on 4 February 2016, incorporated by reference, into and made part of the Agreement, *mutatis mutandis*, as follows:

Chile and Australia recognize that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement limits the Parties to the Agreement from establishing conditions, limitations or exceptions with respect to implementing the obligations set forth under that Article, provided that such conditions, limitations or exceptions are consistent with the provisions of Chapter 18 (Intellectual Property).

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 Agreement enters into force for both Australia and Chile.

Yours sincerely,



Heraldo Muñoz Valenzuela
Minister of Foreign Affairs