



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

Minister Mary Ng  
Minister of International Trade, Export Promotion, Small Business and  
Economic Development

16 July 2023

Dear Minister Ng,

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* (the “Protocol”), I have the honour to confirm the following understanding reached between the Government of Canada (“Canada”) and the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) during the course of 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, done at Auckland on 4 February 2016 as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (“CPTPP”), done at Santiago on 8 March 2018:

“Canada 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) limits a Party to the CPTPP from establishing conditions, limitations or exceptions when implementing the obligations set forth under 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, equally valid in English and French, 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 Canada 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, equally valid in English and French, will constitute a shared understanding between the Government of the United Kingdom and the Government of Canada, which will come into effect on the date on which the Protocol enters into force for both the United Kingdom and Canada.

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