



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
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Claudia Sanhueza Riveros
Under-Secretary for International Economic Relations
Ministry of Foreign Affairs
Teatinos 180
Santiago

16 July 2023

Dear Under-Secretary Sanhueza,

I have the honour to acknowledge the receipt of your letter of 16 July 2023, 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 Republic of Chile (Chile) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement, done at Auckland on 4 February 2016 (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, done at Santiago on 8 March 2018 (CPTPP):

“The Government of Chile and the Government of the United Kingdom recognise that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) limits a Party from establishing conditions, limitations, or exceptions when 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 of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Protocol as between Chile 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 negotiations on the Protocol, and that your letter and this letter of confirmation in reply, equally valid in English and Spanish, will constitute an understanding between the Government of the United Kingdom and the Government of Chile, which will come into effect on the date of entry into force of the Protocol as between the United Kingdom and Chile.

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