



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

Senator the Hon Tim Ayres
Assistant Minister for Trade
Assistant Minister for Manufacturing
Senate
Parliament House
Canberra ACT 2600

16 July 2023

Dear Senator Ayres,

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* (Protocol), and in the context of the strengthening economic partnership of our two nations under the *Free Trade Agreement between Australia and the United Kingdom of Great Britain and Northern Ireland* done at Adelaide and London, on 17 December 2021, I have the honour to confirm the following agreement reached between the Government of Australia (Australia) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of negotiations on the Protocol:

1. No investor of the United Kingdom shall have recourse to dispute settlement against Australia under Chapter 9, Section B (Investor-State Dispute Settlement) of the *Trans-Pacific Partnership Agreement* as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the TPP as incorporated into the CPTPP).
2. No investor of Australia shall have recourse to dispute settlement against the United Kingdom under Chapter 9, Section B (Investor-State Dispute Settlement) of the TPP as incorporated into the CPTPP.

I have the further honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between Australia and the United Kingdom, which shall enter into force on the date on which the Protocol enters into force for both Australia and the United Kingdom.”

I have the further honour to confirm that your letter reflects the agreement reached between the Governments of the United Kingdom and Australia during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Australia, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Australia.

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