

16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
United Kingdom of Great Britain and Northern Ireland

Dear Secretary Badenoch,

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.

Yours sincerely,

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