

16 July 2023

The Rt Hon Kemi Badenoch MP

Secretary of State for Business and Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

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 agreement reached between the Government of Malaysia 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 Chapter 17 (State-Owned Enterprises and Designated Monopolies) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP), 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 (the “TPP as incorporated into the CPTPP”):

1. The United Kingdom will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to the commitment of Malaysia regarding PETRONAS as contained in subparagraphs (a) through (l) in the Scope of Non-Conforming Activities of ANNEX – IV – MALAYSIA – 3 for a period of five years after the entry into force of the CPTPP for Malaysia.
2. After the five year-period, i.e., 29 November 2027, Malaysia and the United Kingdom will conduct consultations with a view to deciding on actions to be taken after such period.

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

Yours sincerely,

Tengku Datuk Seri Utama Zafrul Tengku Abdul Aziz
Minister of Investment, Trade and Industry
Malaysia