



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam (“Viet Nam”) and the Government of Australia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Australia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement limits a Party to the Agreement 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 confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of this Agreement for both Viet Nam and Australia.”

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Australia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Steven Ciobo', written over a white background.

**Steven Ciobo**

8 March 2018

The Hon Steven Ciobo MP  
Minister for Trade, Tourism and Investment  
Canberra, Australia

Dear Minister,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following understanding reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Australia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Australia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement limits a Party to the Agreement 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 confirming that your Government shares this understanding will constitute a Memorandum of Understanding between our two Governments, which will come into effect on the date of entry into force of this Agreement for both Viet Nam and Australia.

Yours sincerely,



Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam