

**THE HON STEVEN CIOBO MP**

Minister for Trade, Tourism and Investment

8 March 2018

Mr. Eduardo Ferreyros Kuppers

Minister of Foreign Trade and Tourism

Peru

Dear Minister

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement:

Australia and Peru agree to maintain the following agreement signed in connection with the signature of the TPP, and that this agreement shall enter into force on the date on which the Agreement enters into force for both Australia and Peru:

1. *Australia - Peru: Distinctive Products (Letters between Ms Magali Silva Velarde-Alvarez and the Hon Andrew Robb MP dated 4 February 2016).*

Noting the Peru-Australia Free Trade Agreement (PAFTA) and its related Notes of agreement to terminate the Agreement between Australia and the Republic of Peru on the Promotion and Protection of Investments, Australia and Peru further agree to maintain the following agreement signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru, in the event the PAFTA and its related side letter have not already entered into force:

2. *Australia - Peru: Termination of Investment Promotion and Protection Agreement (Notes between The Hon Mrs Ana Maria Sanchez de Rios and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru.

Yours sincerely





8 March 2018

The Hon Steven Ciobo, MP

Minister for Trade, Tourism and Investment

Australia

Dear Minister

I have the honour to acknowledge receipt of your letter of 8 March 2018, which reads as follows:

“In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed in Auckland on 4 February 2016 (“TPP”), I have the honour to confirm the following agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement:

**Australia and Peru agree to maintain the following agreement signed in connection with the signature of the TPP, and that this agreement shall enter into force on the date on which the Agreement enters into force for both Australia and Peru:

1*. Australia - Peru: Distinctive Products (Letters between Ms Magali Silva Velarde-Alvarez and the Hon Andrew Robb MP dated 4 February 2016).*

Noting the Peru-Australia Free Trade Agreement (PAFTA) and its related Notes of agreement to terminate the Agreement between Australia and the Republic of Peru on the Promotion and Protection of Investments, Australia and Peru further agree to maintain the following agreement signed in connection with the signature of the TPP, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru, in the event the PAFTA and its related side letter have not already entered into force:

2*. Australia - Peru: Termination of Investment Promotion and Protection Agreement (Notes between The Hon Mrs Ana Maria Sanchez de Rios and the Hon Andrew Robb MP dated 4 February 2016).*

I have the honour to propose that this letter and your letter of confirmation in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru, which shall enter into force on the date on which the Agreement enters into force for both Australia and Peru.”

I have the further honour to confirm that the above reflects the agreement reached between the Government of Australia and the Government of Peru during the course of negotiations on the Agreement, and that your letter and this letter in reply, both equally authentic in the English and the Spanish languages, shall constitute an agreement between the Government of Australia and the Government of Peru.

Yours sincerely

