



## THE HON STEVEN CIOBO MP

Minister for Trade, Tourism and Investment

8 March 2018

H.E. J. Jayasiri  
Secretary General  
Ministry of International Trade and Industry  
Malaysia

Dear Secretary General

In connection with the signing on this date in Santiago de Chile of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and in the context of the Trans-Pacific Partnership Agreement signed on 4 February 2016 in Auckland ("TPP"), I have the honour to confirm the following mutual understanding reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement:

The Governments of Australia and Malaysia confirm their intention to maintain the following mutual understanding reached in connection with the signature of the TPP, and that this understanding will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia:

1. *Side Letters on traditional knowledge (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

The Governments of Australia and Malaysia also confirm their mutual understanding that the following understanding came into effect on signature of the TPP, and will continue in effect when the Agreement enters into force for both Australia and Malaysia:

2. *Side Letters on Review of the Malaysia-Australia Free Trade Agreement (MAFTA) (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia, which will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia.

Yours sincerely



Steven Ciobo



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 in Santiago de Chile of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Agreement”), and in the context of the Trans-Pacific Partnership Agreement signed on 4 February 2016 in Auckland (“TPP”), I have the honour to confirm the following mutual understandings reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement:

The Governments of Australia and Malaysia confirm their intention to maintain the following mutual understanding reached in connection with the signature of the TPP, and that this understanding will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia:

1. *Side Letters on traditional knowledge (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

The Governments of Australia and Malaysia also confirm their mutual understanding that the following understanding came into effect on signature of the TPP, and will continue in effect when the Agreement enters into force for both Australia and Malaysia:

2. *Side Letters on Review of the Malaysia-Australia Free Trade Agreement (MAFTA) (Letters between H.E. Mustapa Mohamed and the Hon Andrew Robb MP, dated 4 February 2016).*

I have the honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia, which will come into effect on the date on which the Agreement enters into force for both Australia and Malaysia.”

I have the further honour to confirm that the above reflects the mutual understandings reached between the Government of Australia and the Government of Malaysia during the course of negotiations on the Agreement, and that your letter and this letter in reply will constitute a Memorandum of Understanding between the Government of Australia and the Government of Malaysia.

Yours sincerely

  
**J. Jayasri**  
**Secretary General**  
**Ministry of International Trade and Industry**