

Letter from Malaysia to Canada

[DATE]

[Address]

Dear :

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the "Agreement"), I have the honour to confirm the following agreement reached between representatives of the Government of Malaysia and the Government of Canada:

1. Starting from the date of entry into force of the Agreement, Malaysia shall not:
 - a) apply any quantitative limit on the importation of originating new motor vehicles from Canada, including any limit applicable to vehicles that are subject an import licensing requirement; or
 - b) impose any new or additional charge applicable to the importation of originating motor vehicles from Canada.

For greater certainty, motor vehicles shall be considered originating if they qualify as originating in accordance with Chapter 3 (Rules of Origin and Origin Procedures) of the Agreement.

2. Starting January 1, 2021, for customs valuation of imported new motor vehicles, Malaysia shall accept transaction values submitted by importers for their merchandise at the time of importation, in accordance with the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade.
3. Malaysia's commitments in paragraphs one and two of this letter shall apply notwithstanding any provision of Chapter 29 (Exceptions) of the Agreement.
4. To enhance the benefits of the Agreement, Canada intends to facilitate technical cooperation and capacity building activities with Malaysia in areas of mutual interest in the automotive sector.

I have the honour to propose that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Malaysia and Canada.

Response from Canada to Malaysia

[DATE]

[Address]

Dear :

I have the honour to acknowledge receipt of your letter of [Month Day], 2015, which reads as follows:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the "Agreement"), I have the honour to confirm the following agreement reached between representatives of the Government of Malaysia and the Government of Canada:

1. Starting from the date of entry into force of the Agreement, Malaysia shall not:
 - a) apply any quantitative limit on the importation of originating new motor vehicles from Canada, including any limit applicable to vehicles that are subject an import licensing requirement; or
 - b) impose any new or additional charge applicable to the importation of originating motor vehicles from Canada.

For greater certainty, motor vehicles shall be considered originating if they qualify as originating in accordance with Chapter 3 (Rules of Origin and Origin Procedures) of the Agreement.

2. Starting January 1, 2021, for customs valuation of imported new motor vehicles, Malaysia shall accept transaction values submitted by importers for their merchandise at the time of importation, in accordance with the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade.
3. Malaysia's commitments in paragraphs one and two of this letter shall apply notwithstanding any provision of Chapter 29 (Exceptions) of the Agreement.
4. To enhance the benefits of the Agreement, Canada intends to facilitate technical cooperation and capacity building activities with Malaysia in areas of mutual interest in the automotive sector.

I have the honour to propose that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Malaysia and Canada.

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MODIFIED HANDLING AUTHORIZED*

I have the further honour to confirm that my Government shares this understanding and that your letter and this letter in reply, equally valid in English and French, shall constitute an agreement between our Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Canada and Malaysia.

*This document must be protected from unauthorized disclosure, but may be mailed or transmitted over unclassified e-mail or fax, discussed over unsecured phone lines, and stored on unclassified computer systems. It must be stored in a locked or secured building, room, or container.