

SUBJECT TO LEGAL REVIEW FOR ACCURACY, CLARITY AND CONSISTENCY

[insert date]

Vu Huy Hoang
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister Hoang,

I refer to the *Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area* done at Cha-am on 27 February 2009 (AANZFTA) and the *Trans-Pacific Partnership Agreement* done at [location] on [date] (TPP) (Agreements).

I have the honour to confirm the following interpretative understandings relating to the Agreements reached by the Government of New Zealand and the Government of the Socialist Republic of Viet Nam during the course of the negotiations on TPP. Nothing in TPP will derogate from the rights and obligations of New Zealand or Viet Nam under AANZFTA. To the greatest extent possible, the Agreements will be interpreted consistently. Where AANZFTA or TPP provides different treatment for an exporter, service supplier or investor of New Zealand or Viet Nam, that exporter, service supplier or investor is entitled to claim the more favourable of the treatment accorded to that exporter, service supplier or investor under that Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply will constitute the understandings between our two Governments on the interpretation of the Agreements.

Yours sincerely

Hon Tim Groser
Minister of Trade
New Zealand

SUBJECT TO LEGAL REVIEW FOR ACCURACY, CLARITY AND CONSISTENCY

[insert date]

Hon Tim Groser
Minister of Trade
New Zealand

Dear Minister Groser

I have the honour of acknowledging receipt of your letter of today's date, which states as follows:

I refer to the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area done at Cha-am on 27 February 2009 (AANZFTA) and the Trans-Pacific Partnership Agreement done at [location] on date (TPP) (Agreements).

I have the honour to confirm the following interpretative understandings relating to the Agreements reached by the Government of New Zealand and the Government of the Socialist Republic of Viet Nam during the course of the negotiations on TPP. Nothing in TPP will derogate from the rights and obligations of New Zealand or Viet Nam under AANZFTA. To the greatest extent possible, the Agreements will be interpreted consistently. Where AANZFTA or TPP provides different treatment for an exporter, service supplier or investor of New Zealand or Viet Nam, that exporter, service supplier or investor is entitled to claim the more favourable of the treatment accorded to that exporter, service supplier or investor under that Agreement.

I have the further honour to propose that this letter and your letter of confirmation in reply will constitute the understandings between our two Governments on the interpretation of the Agreements.

I have the further honour to confirm that your letter reflects the understandings made by the Governments of Viet Nam and New Zealand during the course of the negotiations on TPP and that your letter and this letter in reply shall constitute an agreement between Viet Nam and New Zealand.

Yours sincerely

SUBJECT TO LEGAL REVIEW FOR ACCURACY, CLARITY AND CONSISTENCY

Minister Vu Huy Hoang
Ministry of Industry and Trade
Socialist Republic of Viet Nam