

EXECUTIVE OFFICE OF THE PRESIDENT  
THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

February 4, 2016

The Honorable Lim Hng Kiang  
Minister for Trade and Industry (Trade)  
Republic of Singapore

Dear Minister Lim:

I have the honor to refer to the discussions between representatives of the Government of Singapore (Singapore) and the Government of the United States of America (United States) during the negotiation of Chapter 17 (State-Owned Enterprises and Designated Monopolies) of the Trans-Pacific Partnership Agreement (the "TPP Agreement") signed on February 4, 2016, regarding certain provisions of the United States – Singapore Free Trade Agreement (the "USSFTA"), which entered into force on January 1, 2004.

I have the further honor to confirm, based on those discussions, the shared understanding of Singapore and the United States that Singapore shall be deemed to comply with the obligations set out in Article 12.3(2)(g)(i) of Chapter 12 (Anticompetitive Business Conduct, Designated Monopolies, and Government Enterprises) of the USSFTA so long as Singapore complies with the obligations set out in Article 17.10.1 (Transparency) of the TPP Agreement, read with paragraph 4 of Annex 17-E (Singapore) to Chapter 17 of the TPP Agreement.

On behalf of the United States, I have the honor to propose that this letter and your letter in reply confirming your Government's agreement with the above shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between the United States and Singapore.

Sincerely,



Ambassador Michael B. G. Froman



MINISTER FOR TRADE AND INDUSTRY  
(TRADE)  
SINGAPORE

4 February 2016

The Honourable Michael Froman  
United States Trade Representative  
United States of America

Dear Ambassador Froman,

I am pleased to acknowledge your letter of 4 February 2016, which reads as follows:

“I have the honor to refer to the discussions between representatives of the Government of Singapore (Singapore) and the Government of the United States of America (United States) during the negotiation of Chapter 17 (State-Owned Enterprises and Designated Monopolies) of the Trans-Pacific Partnership Agreement (the “TPP Agreement”) signed on February 4, 2016, regarding certain provisions of the United States – Singapore Free Trade Agreement (the “USSFTA”), which entered into force on January 1, 2004.

I have the further honor to confirm, based on those discussions, the shared understanding of Singapore and the United States that Singapore shall be deemed to comply with the obligations set out in Article 12.3(2)(g)(i) of Chapter 12 (Anticompetitive Business Conduct, Designated Monopolies, and Government Enterprises) of the USSFTA so long as Singapore complies with the obligations set out in Article 17.10.1 (Transparency) of the TPP Agreement, read with paragraph 4 of Annex 17-E (Singapore) to Chapter 17 of the TPP Agreement.

On behalf of the United States, I have the honor to propose that this letter and your letter in reply confirming your Government’s agreement with the above shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between Singapore and the United States.”

I have the honour to confirm that my Government shares this understanding, and that your letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between Singapore and the United States.

Yours sincerely,

  
LIM HNG KIANG