

Exchange of Letters between the Government of Canada and the Government of the Republic of Chile rectifying Annex C-00-B, Annex D-01 and Annex D-03.1 and the Uniform Regulations for Chapter D of the Free Trade Agreement between the Government of Canada and the Government of the Republic of Chile, done at Santiago on 5 December 1996, done at Ottawa on 9 November 2004 and at Santiago on 25 November 2004,

Agreement between the Government of Canada and the Government of the Republic of Chile to amend the Free Trade Agreement between the Government of Canada and the Government of the Republic of Chile, done at Hanoi on 15 November 2006, and

Agreement to amend the Free Trade Agreement between the Government of Canada and the Government of the Republic of Chile, done at Santiago on 5 December 1996, as amended, between the Government of Canada and the Government of the Republic of Chile, done at Santiago on 16 April 2012; and

DESIRING to further amend the *Free Trade Agreement between the Government of Canada and the Government of the Republic of Chile (CCFTA)* under Article P-02;

HAVE AGREED as follows:

Article I: Amendments to Chapter G (Investment)

The CCFTA is amended by replacing the text of Chapter G (Investment) with the text set forth in Appendix I to this Agreement.

Article II: Amendments Consequential to the Amendments to Chapter G (Investment)

1. The Notes to the CCFTA is amended by adding the following text after note 1 under the heading Chapter G and renumbering note 2 as note 4:

“2. For greater certainty, whether treatment is accorded in “like circumstances” under Article G-02 (National Treatment) or Article G-03 (Most-Favoured-Nation Treatment) depends on the totality of the circumstances, including whether the relevant treatment distinguishes between investors or investments on the basis of legitimate public policy objectives.

3. Article G-05 (Minimum Standard of Treatment) shall be interpreted in accordance with Annex G-05 (Customary International Law).”

2. The Notes to the CCFTA is amended by adding the following text after note 4 (as it is after the renumbering in paragraph 1) under the heading Chapter G:

“5. Article G-10 (Expropriation and Compensation) shall be interpreted in accordance with Annex G-10 (Expropriation).”