

Santiago, February 8<sup>th</sup>, 2008

Excellency,

I have the honor to refer to the Preferential Trade Agreement between Chile and India, subscribed in New Delhi, on March 8th, 2006.

Concerning this international instrument, I have the honor to inform that a mistake was made in the transcription of Article XXI of the Agreement. Therefore, where it states: “preferential tariff by the Government of Chile is at Annex A”, it should read “at Annex B”. Consequently, where it states, “preferential tariff by the Government of India is at Annex B”, it should read “at Annex A”.

Taking this into account, Article XXI should be read as follows: “The list of items covered under preferential tariff by the Government of Chile is at Annex **B** and the list of items covered under preferential tariff by the Government of India is at Annex **A**. Annexes A, B, C, D and E, as well as the footnotes therein are integral parts of this Agreement.”

Also, I have the honor to propose a change in the wording of the titles of the List of Products of Annexes A and B, for as its wording can be subject to misinterpretation.

In Annex A, where it states “India’s List of Products for Chile”, it should state “List of India”. In Annex B, where it states “Chile’s List of Products for India”, it should state “List of Chile”.

If the above suggestions are acceptable to the Government of the Republic of India, this Note and your Excellency’s Note in reply indicating acceptance be regarded as constituting an agreement between our two Governments, which shall enter into force on the first day following the date of your Excellency’s reply.

The Ministry of Foreign Affairs of Chile avails itself this opportunity to renew to the Embassy of the Republic of India in Chile the assurances of its highest and distinguished consideration.

ALBERT VAN KLAVEREN STORK

Acting Minister of Foreign Affairs

Her Excellency Susmita G Thomas

Ambassador Extraordinary and Plenipotentiary of India in Chile.

Embassy of India

Santiago

No. 45/17/2000-FT(LAC)  
Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
FT(LAC) Division

Udyog Bhavan, New Delhi  
Dated the 3<sup>rd</sup> March, 2008

To

Shri Bhagwat Swarup  
Second Secy (Commerce )  
Embassy of India in Chile  
Santiago, FAX: 00-56-22359607

Subject: India – Chile Preferential Trade Agreement (PTA).

Sir,

This refers to Diplomatic Note dated 8<sup>th</sup> February, 2008 of Ministry of Foreign Affairs, Government of Chile on the above mentioned subject.

We hereby accept the two suggestions as highlighted against para 3 & 5 of Diplomatic Note dated 8<sup>th</sup> February, 2008 by Chilean side as given below regarding the correct reading of the India-Chile PTA:

I. Article XXI should read as follows

*“The list of items covered under preferential tariff by the Government of Chile is at Annex B and the list of items covered under preferential tariff by the Government of India is at Annex A. Annexes A, B, C, D and E, as well as the footnotes therein are integral parts of this Agreement.”*

II. *“In Annex A, where it states “India’s List of Products for Chile”, it should state “List of India”. In Annex B, where it states “Chile’s List of Products for India”, it should state “List of Chile”.*

It is requested that consent of Chilean side to our above acceptance may be sent. Note/ communication exchanged in this regard will be the part of the Agreement and attached to the PTA for reference.

This has the approval of Commerce Secretary and Legal & Treaties Division, Ministry of External Affairs.

Yours faithfully,

( Ganesh Singh)  
Section Officer (FT-LAC)  
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