

September 22, 2014

Mr. Ian Burney
Chief Negotiator for Canada
Ottawa, Canada

Dear Mr. Ian Burney,

I have the honour to confirm the following understanding reached between the delegations of the Republic of Korea and Canada during the course of negotiations regarding entries on telecommunications services in the Parties' Schedules to Annex I in the Free Trade Agreement between our two Governments:

If a Party conditions the granting of a license to supply public telecommunications services to a person of the Party in which a person of the other Party holds an equity interest on a finding that the supply of such services would serve the public interest, the Party shall ensure that it: (i) bases any such finding and the procedures for making such a finding on objective and transparent criteria; (ii) employs a presumption in favour of finding that granting a license to a person of the Party in which a person of the other Party holds an equity interest would serve the public interest; and (iii) develops any such procedures through a rulemaking consistent with Article 11.10 (Transparency).

I have the honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Free Trade Agreement.

Sincerely,

Kyong-lim Choi
Chief Negotiator for the Republic
of Korea