

**NOTES REGARDING AMENDMENTS TO THE SCHEDULES  
TO THE CUSTOMS AND EXCISE ACT, 1964**

**20 FEBRUARY 2009**

**These notes are issued merely as a guide and both the old and new provisions should be studied in order to determine what the amendment actually entails. These notes have no legal status.**

<i>Provision</i>	<i>Note</i>
310 09/3920 10/01 06 310 09/5404 11/01 06 310 09/5603 9/01 05 311 33/3920 10/01 06 311 33/5404 11/01 06 311 33/5603 9/01 05	The effect of this amendment is that the descriptions of these rebate items have been amended to assist in aiding the competitiveness of the planned local production of disposable napkins for babies
310 09/3919 10/01 06 310 09/5603 1/01 05 310 09/5903 90/01 06 311 33/3919 10/01 06 311 33/5603 1/01 05 311 33/5903 90/01 06	The effect of this amendment is that new rebate items have been created to assist in aiding the competitiveness of the planned local production of disposable napkins for babies
Note 1(b) of the Protocol and Articles 16(4) and 17(2) of Protocol I in Part A of Schedule No 1 and Part 1 of Schedule No. 10.	The effect of this amendment is that the Republic of Bulgaria and the Republic of Romania have been included as new Member States of the European Union, <b>with retrospective effect from 1 January 2007.</b>

**Government Gazette No. 31894**

**No. R.157**

**2009-02-20**

**CUSTOMS AND EXCISE ACT, 1964.  
AMENDMENT OF SCHEDULE NO. 10 (NO. 10/12)**

Under section 49 of the Customs and Excise Act, 1964, Schedule No. 10 to the said Act is hereby amended, with retrospective effect from 1 January 2007, to the extent set out in the Schedule hereto.

**N NENE  
DEPUTY MINISTER OF FINANCE**

**SCHEDULE**

By the insertion in Part 1 of the following Note and amendment:

**"Amendment No. 2 to Part 1 of Schedule No. 10"**

ADDITIONAL PROTOCOL TO THE AGREEMENT ON TRADE, DEVELOPMENT AND COOPERATION BETWEEN THE REPUBLIC OF SOUTH AFRICA, OF THE ONE PART, AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE OTHER PART, TO TAKE ACCOUNT OF THE ACCESSION OF THE REPUBLIC OF BULGARIA AND ROMANIA TO THE EUROPEAN UNION.

Note: This amendment contains the full text of the Additional Protocol.

ADDITIONAL PROTOCOL  
TO THE AGREEMENT ON TRADE, DEVELOPMENT  
AND COOPERATION BETWEEN THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES, OF THE ONE PART,  
AND THE REPUBLIC OF SOUTH AFRICA, OF THE OTHER PART,  
TO TAKE ACCOUNT OF THE ACCESSION  
OF THE REPUBLIC OF BULGARIA AND ROMANIA  
TO THE EUROPEAN UNION

ДОПЪЛНИТЕЛЕН ПРОТОКОЛ  
КЪМ СПОРАЗУМЕНИЕТО ЗА ТЪРГОВИЯ, РАЗВИТИЕ  
И СЪТРУДНИЧЕСТВО МЕЖДУ ЕВРОПЕЙСКАТА ОБЩНОСТ  
И НЕЙНИТЕ ДЪРЖАВИ-ЧЛЕНКИ, ОТ ЕДНА СТРАНА,  
И ЮЖНОАФРИКАНСКАТА РЕПУБЛИКА, ОТ ДРУГА СТРАНА,  
ЗА ДА СЕ ВЗЕМЕ ПРЕДВИД ПРИСЪЕДИНЯВАНЕТО НА  
РЕПУБЛИКА БЪЛГАРИЯ И РУМЪНИЯ  
КЪМ ЕВРОПЕЙСКИЯ СЪЮЗ

PROTOCOLO ADICIONAL  
DEL ACUERDO EN MATERIA DE COMERCIO, DESARROLLO  
Y COOPERACIÓN ENTRE LA COMUNIDAD EUROPEA  
Y SUS ESTADOS MIEMBROS, POR UNA PARTE,  
Y LA REPÚBLICA DE SUDÁFRICA, POR OTRA,  
PARA TENER EN CUENTA LA ADHESIÓN  
DE LA REPÚBLICA DE BULGARIA Y DE RUMANÍA  
A LA UNIÓN EUROPEA

DODATKOVÝ PROTOKOL  
K DOHODĚ O OBCHODU, ROZVOJI  
A SPOLUPRÁCI MEZI EVROPSKÝM SPOLEČENSTVÍM  
A JEHO ČLENSKÝMI STÁTY NA JEDNÉ STRANĚ  
A LIHOAFRICKOU REPUBLIKOU NA STRANĚ DRUHÉ,  
S OHLEDEM NA PŘISTOUPENÍ  
BULHARSKÉ REPUBLIKY A RUMUNSKA  
K EVROPSKÉ UNII

TILLÆGS PROTOKOL  
TIL AFTALEN OM HANDEL, UDVIKLING  
OG SAMARBEJDE MELLEM DET EUROPÆISKE FÆLLESSKAB  
OG DETS MEDLEMSSTATER PÅ DEN ENE SIDE  
OG DEN SYDAFRIKANSKE REPUBLIK PÅ DEN ANDEN SIDE  
FOR AT TÅGE HENSYN TIL  
REPUBLIKKEN BULGARIENS OG RUMÆNIENS TILTRÆDELSE  
AF DEN EUROPÆISKE UNION

ZUSATZPROTOKOLL  
ZUM ABKOMMEN ÜBER HANDEL, ENTWICKLUNG UND ZUSAMMENARBEIT  
ZWISCHEN DER EUROPÄISCHEN GEMEINSCHAFT  
UND IHREN MITGLIEDSTAATEN EINERSEITS  
UND DER REPUBLIK SÜDAFRIKA ANDERERSEITS  
ANLÄSSLICH DES BEITRITTS  
DER REPUBLIK BULGARIEN UND RUMÄNIENS  
ZUR EUROPÄISCHEN UNION

ÛHELTI POOLIT EUROOPA ÛHENDUSE  
JA SELLE LIKMESRIKIDE  
NING TEISELT POOLT LÕUNA-AAFIKA VABARIIGI  
VAHEL SÕLMITUD KAUBANDUS-, ARENGU-  
JA KOOSTÕLEPINGU LISAPROTOKOLL,  
ET VÕTTA ARVESSE BULGAARIA VABARIIGI  
JA RUMEENIA ÛHINEMIST  
EUROOPA LIIDUGA

ΠΡΟΣΘΕΤΟ ΠΡΩΤΟΚΟΛΛΟ  
ΤΗΣ ΣΥΜΦΩΝΙΑΣ ΓΙΑ ΤΟ ΕΜΠΟΡΙΟ, ΤΗΝ ΑΝΑΠΤΥΞΗ  
ΚΑΙ ΤΗ ΣΥΝΕΡΓΑΣΙΑ ΜΕΤΑΞΥ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΚΟΙΝΟΤΗΤΑΣ  
ΚΑΙ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ ΤΗΣ, ΑΦΕΝΟΣ,  
ΚΑΙ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΤΗΣ ΝΟΤΙΑΣ ΑΦΡΙΚΗΣ, ΑΦΕΤΕΡΟΥ,  
ΩΣΤΕ ΝΑ ΛΗΦΘΕΙ ΥΠΟΨΗ Η ΠΡΟΣΧΩΡΗΣΗ  
ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΤΗΣ ΒΟΥΛΓΑΡΙΑΣ ΚΑΙ ΤΗΣ ΡΟΥΜΑΝΙΑΣ  
ΣΤΗΝ ΕΥΡΩΠΑΪΚΗ ΕΝΩΣΗ

ADDITIONAL PROTOCOL  
TO THE AGREEMENT ON TRADE, DEVELOPMENT  
AND COOPERATION BETWEEN THE REPUBLIC OF SOUTH AFRICA,  
OF THE ONE PART, AND THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES, OF THE OTHER PART,  
TO TAKE ACCOUNT OF THE ACCESSION  
OF THE REPUBLIC OF BULGARIA AND ROMANIA  
TO THE EUROPEAN UNION

THE REPUBLIC OF SOUTH AFRICA

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as the "Member States", represented by the Council of the European Union,

and

THE EUROPEAN COMMUNITY,

hereinafter referred to as "the Community",

together hereinafter referred to as "Contracting Parties",

CONSIDERING THAT the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part (the "TDCA"), was signed in Pretoria on 11 October 1999 and entered into force on 1 May 2004;



CONSIDERING THAT the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union was signed in Luxembourg on 25 April 2005 and entered into force on 1 January 2007;

CONSIDERING THAT, pursuant to Article 6(2) of the 2005 Act of Accession, the accession of the new Contracting Parties to the TDCA shall be agreed by the conclusion of a protocol to the TDCA,

HAVE AGREED AS FOLLOWS:

#### ARTICLE 1

The Republic of Bulgaria and Romania (hereinafter referred to as "the new Member States") hereby become Contracting Parties to the TDCA and shall, in the same manner as the other Member States of the Community, respectively adopt and take note of the texts of the Agreement, as well as the Annexes, Protocols and Declarations attached thereto.



## CHAPTER I

### AMENDMENTS TO THE TEXT OF THE TDCA, INCLUDING ITS ANNEXES AND PROTOCOLS

#### ARTICLE 2

##### Languages and number of originals

Article 108 of the TDCA shall be replaced by the following:

##### "ARTICLE 108

This Agreement is drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovenian, Slovak, Spanish and Swedish languages and the official languages of South Africa, other than English, namely Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, isiNdebele, isiXhosa and isiZulu, each of these texts being equally authentic."

## ARTICLE 3

### Rules of origin

Protocol 1 of the TDCA shall be amended as follows:

1) Article 16(4) shall be replaced by the following:

"4. EUR.1 movement certificates issued retrospectively must be endorsed with one of the following phrases:

BG "ИЗДАДЕН ВПОСЛЕДСТВИЕ"

ES "EXPEDIDO A POSTERIORI"

CS "VYSTAVENO DODATĚČNĚ"

DA "UDSTEDT EFTERFØLGENDE"

DE "NACHTRÄGLICH AUSGESTELLT"

ET "TAGANTJÄRELE VÄLJA ANTUD"

EL "ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"

EN "ISSUED RETROSPECTIVELY"

FR "DÉLIVRÉ A POSTERIORI"

IT "RILASCIATO A POSTERIORI"  
LV "IZSNIEGTS RETROSPEKTĪVI"  
LT "RETROSPEKTYVUSIS IŠDAVIMAS"  
HU "KIADVA VISSZAMENŐLEGES HATÁLLYAL"  
MT "MAHRUĠ RETROSPETTIVAMENT"  
NL "AFGEGEVEN A POSTERIORI"  
PL "WYSTAWIONE RETROSPEKTYWNIĘ"  
PT "EMITIDO A POSTERIORI"  
RO "EMIS A POSTERIORI"  
SL "IZDANO NAKNADNO"  
SK "VYDANÉ DODATOČNE"  
FI "ANNETTU JÄLKIKÄTEEN"  
SV "UTFÄRDAT I EFTERHAND";"

2) Article 17(2) shall be replaced by the following:

"2. The duplicate issued in this way must be endorsed with one of the following words:

BG "ДУБЛИКАТ"

ES "DUPLICADO"

CS "DUPLIKÁT"

DA "DUPLIKAT"

DE "DUPLIKAT"

ET "DUPLIKAAT"

EL "ΑΝΤΙΓΡΑΦΟ"

EN "DUPLICATE"

FR "DUPLICATA"

IT "DUPLICATO"

LV "DUBLIKĀTS"

LT "DUBLIKATAS"

HU "MÁSODLAT"

MT "DUPLIKÁT"

NL "DUPLICAAT"

PL "DUPLIKAT"

PT "SEGUNDA VIA"

RO "DUPLICAT"

SL "DVOJNIK"

SK "DUPLIKÁT"

FI "KAKSOISKAPPALE"

SV "DUPLIKAT";"

- 3) Annex IV shall be replaced by the following:

"ANNEX IV

INVOICE DECLARATION

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № ... (1)) декларира, че освен където е отбелязано друго, тези продукти са с ... преференциален произход (2).

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera nº ... (1)) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial ... (2).

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení ... (1)) prohlašuje, že kromě zřetelně označených mají tyto výrobky preferenční původ v ... (2).

Danish version

Eksporthøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ... (1)), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ... (2).

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ...<sup>(1)</sup>) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte ...<sup>(2)</sup> Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolli kinnitus nr. ...<sup>(1)</sup>) deklareerib, et need tooted on ...<sup>(2)</sup> sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ' αριθ. ...<sup>(1)</sup>) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ...<sup>(2)</sup>.

English version

The exporter of the products covered by this document (customs authorisation No ...<sup>(1)</sup>) declares that, except where otherwise clearly indicated, these products are of ...<sup>(2)</sup> preferential origin.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ...<sup>(1)</sup>) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ...<sup>(2)</sup>.



.....<sup>(3)</sup>  
.....  
(Place and date)

.....<sup>(4)</sup>  
.....  
(Signature of the exporter; in addition, the  
name of the person signing the declaration  
has to be indicated in clear script)

- (1) When the invoice declaration is made out by an approved exporter within the meaning of Article 20 of the Protocol, the authorisation number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets will be omitted or the space left blank.
- (2) Origin of products to be indicated. When the invoice declaration relates in whole or in part to products originating in Ceuta and Melilla within the meaning of Article 36 of the Protocol, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol "CM".
- (3) These indications may be omitted if the information is contained in the document itself.
- (4) See Article 19(5) of the Protocol. In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory."

## CHAPTER II

### TRANSITIONAL PROVISIONS

#### ARTICLE 4

##### Goods en route or in temporary storage

1. The provisions of the Agreement shall be applied to goods exported from either South Africa to one of the new Member States or from one of the new Member States to South Africa, which comply with the provisions of Protocol 1 to the TDCA and which on the date of accession are either en route or in temporary storage, in a customs warehouse or in a free zone in South Africa or in that new Member State.
2. Preferential treatment shall be granted in such cases, subject to the submission to the customs authorities of the importing country, within four months from the date of accession, of a proof of origin issued retrospectively by the customs authorities of the exporting country.

## CHAPTER III

### GENERAL AND FINAL PROVISIONS

#### ARTICLE 5

This Protocol shall form an integral part of the TDCA.

#### ARTICLE 6

1. This Protocol shall be approved by the Community, by the Council of the European Union on behalf of the Member States, and by the Republic of South Africa in accordance with their own procedures.
2. The Contracting Parties shall notify each other of the accomplishment of the corresponding procedures referred to in paragraph 1. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

#### ARTICLE 7

1. This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.
2. This Protocol shall apply provisionally as from 1 January 2007.

## ARTICLE 8

This Protocol is drawn up in duplicate in the English, Bulgarian, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovenian, Slovak, Spanish and Swedish languages and the official languages of South Africa, other than English, namely Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, isiNdebele, isiXhosa and isiZulu, each of these texts being equally authentic.

Done at Pretoria on the tenth day of October in the year two thousand and seven.

Съставено в Претория на десети октомври две хиляди и седма година.

Hecho en Pretoria, el diez de octubre de dos mil siete.

V Pretorii dne desátého října dva tisíce sedm.

Udfærdiget i Pretoria den tiende oktober to tusind og syv.

Geschehen zu Pretoria am zehnten Oktober zwei tausend sieben.

Kahe tuhanda seitsmenda aasta oktoobri kümne päeva.

Έγινε στην Πραιτόρια στις δέκα του Οκτωβρίου του έτους δύο χιλιάδων και επτά.

Fait à Pretoria le dix octobre deux mille sept.

Feito em Pretória, em dez de Outubro de dois mil e sete.

Done at Pretoria on the tenth day of October in the year two thousand and seven.

Done at Pretoria on the tenth day of October in the year two thousand and seven.

Done at Pretoria on the tenth day of October in the year two thousand and seven.

Magħmul fi Pretorja fl-ghaxar jum ta' Ottubru tas-sena elfejn u sebgha.

Gedaan te Pretoria, de tiende oktober tweeduizend zeven.

Sporządzono w Pretorii dnia dziesiątego października roku dwa tysiące siódmego.

Feito em Pretória, em dez de Outubro de dois mil e sete.

Intocmit la Pretoria, la zece octombrie două mii şapte.

V Pretórii dňa desiateho oktobra dvetisícšedem.


V Pretorii, dne desetega oktobra leta dva tisoč sedem.

Tehty Pretoriassa kymmenentenä päivänä lokakuuta vuonna kaksituhattaseitsemän.

Som skedde i Pretoria den tionde oktober tjugohundrasju.

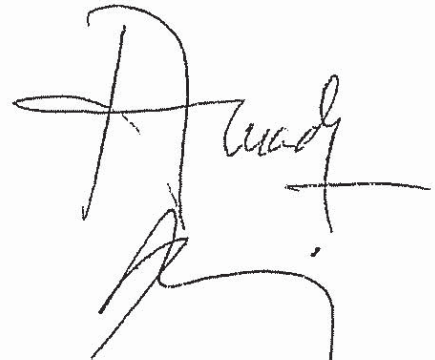
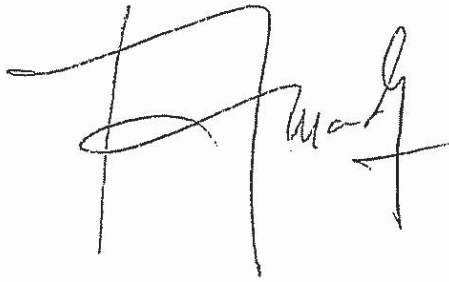


For the Republic of South Africa  
wa Repapoliki ya Afrika Borwa  
Ya Rephaboliki ya Afrika Borwa  
Wa Rephaboliki ya Aforika Borwa  
WeRiphabliki yaseNingizimu Afrika  
wa Rephabuliki ya Afurika Tshipembe  
Wa Riphabliki ra Afrika-Dzonga  
Vir die Republiek van Suid-Afrika  
WeRiphabhliki yeSewula Afrika  
WeRiphabliki yoMzantsi Afrika  
WeRiphabhulikhi yaseNingizimu Afrika



For the Member States  
За държавите-членки  
Por los Estados miembros  
Za členské státy  
For medlemsstaterne  
Für die Mitgliedstaaten  
Liikmesriikide nimel  
Για τα κράτη μέλη  
Pour les États membres  
Per gli Stati membri  
Dālibvalstu vārdā  
Valstybių narių vardu  
A tagállamok részéről  
Għall-Istati Membri  
Voor de lidstaten  
W imieniu Państw Członkowskich  
Pelos Estados-Membros  
Pentru statele membre  
Za členské štáty  
Za države članice  
Jäsenvaltioiden puolesta  
På medlemsstaternas vägnar

For the European Community  
За Европейската общност  
Por la Comunidad Europea  
Za Evropské společenství  
For Det Europæiske Fællesskab  
Für die Europäische Gemeinschaft  
Euroopa Ühenduse nimel  
Για την Ευρωπαϊκή Κοινότητα  
Pour la Communauté européenne  
Per la Comunità europea  
Eiropas Kopienas vārdā  
Europos bendrijos vardu  
az Európai Közösség részéről  
Għall-Komunità Ewropea  
Voor de Europese Gemeenschap  
W imieniu Wspólnoty Europejskiej  
Pela Comunidade Europeia  
Pentru Comunitatea Europeană  
Za Európske spoločenstvo  
za Evropsko skupnost  
Euroopan yhteisön puolesta  
På Europeiska gemenskapens vägnar



PA/ZA/CE/X 3