

## African Continental Free Trade Area (AfCFTA) Implementation FAQs

1.	<p>Q: When will the approved Agreement be available? A: The AfCFTA agreement is published on the SARS Website and has been effective since 1 January 2021. The agreement can be viewed on the following link:</p> <p><a href="https://www.sars.gov.za/Legal/Secondary-Legislation/Tariff-Amendments/Pages/2020.aspx">https://www.sars.gov.za/Legal/Secondary-Legislation/Tariff-Amendments/Pages/2020.aspx</a></p> <p>The Rules and forms in regard to the agreement can be viewed on the link below:</p> <p><a href="https://www.sars.gov.za/Legal/Secondary-Legislation/Rule-Amendments/Pages/2020.aspx">https://www.sars.gov.za/Legal/Secondary-Legislation/Rule-Amendments/Pages/2020.aspx</a></p>
2.	<p>Q: Where can the latest information on the AfCFTA be accessed? A: <a href="https://www.sars.gov.za/ClientSegments/Customs-Excise/AboutCustoms/Pages/African-Continental-Free-Trade-Agreement.aspx">https://www.sars.gov.za/ClientSegments/Customs-Excise/AboutCustoms/Pages/African-Continental-Free-Trade-Agreement.aspx</a></p>
3.	<p>Q: How will this agreement affect companies in South Africa who trade with businesses in Africa? A: Companies can begin to trade on a preferential basis with the countries that have completed the ratification process, whose tariff offers have been accepted and have published the offers in their domestic legislation, allowing preferential imports from South Africa. Exporters should therefore check the tariff books of the country of import to confirm the tariff rate they will qualify for.</p>
4.	<p>Q: what is the AfCFTA implementation plan? A: SARS has implemented the AfCFTA and will continue with technical workshops to traders until all stakeholders at our branches and organised business are covered. The technical workshops will held until June/July 2021.</p> <p>Please enquire at your local Customs and Excise Branch or with Ms Claudette Davis at CDavis2@sars.gov.za.</p>
5.	<p>Q: How many countries have ratified the Agreement? A: 34 ratifications were approved by the Summit held on the 5 December and 41 tariff offers submitted. The countries that can trade under the agreement need to have both ratified the agreement and deposited their instrument with the AFCFTA secretariat. The countries with submitted offers are:</p> <ol style="list-style-type: none"><li>1. Benin</li></ol>

2. Botswana
3. Burkina Faso
4. Burundi
5. Cabo Verde
6. Cameroon
7. Central African Republic
8. Chad
9. Congo Republic
10. Democratic Republic of Congo
11. Egypt
12. Equatorial Guinea
13. Eswatini
14. Gabon
15. Ghana
16. Guinea
17. Guinea Bissau
18. Ivory Coast (Cote d'Ivoire)
19. Kenya
20. Lesotho
21. Liberia
22. Madagascar
23. Malawi
24. Mali
25. Mauritania
26. Mauritius
27. Namibia
28. Niger
29. Nigeria
30. Rwanda
31. São Tomé and Príncipe
32. Senegal
33. Seychelles
34. Sierra Leone
35. South Africa
36. South Sudan
37. The Gambia
38. Togo
39. Uganda
40. United Republic of Tanzania
41. Zambia

However, at the time the legislation was approved only **three AU Members (Egypt, Mauritius and Sao Tome)** were in a position to implement their AU offers on 1 January 2021. Mauritius will continue under the terms of the SADC Trade Protocol and the **other two AU Members under the AfCFTA.**

	<p>We expect that other AU Member States and Customs Unions will join the preferential trade area as they complete their ratification processes and submit tariff offers in the course of 2021.</p> <p>Exporters can export anywhere but they will only get preferential treatment in these two countries (other than SADC) and only imports originating in these two countries (other than SADC) will receive preferential treatment in South Africa. Exporters are, however, advised to check with the country of import on whether their specific products will qualify for preference and the rate of discount they are likely to get.</p>
6.	<p>Q: Are the Rules of Origin (ROO) finalised?</p> <p>A: The Rules of Origin have been partly agreed and all outstanding matters will be discussed during the course of the year. It is projected that negotiations will be concluded in June 2021.</p>
7.	<p>Q: What is the operational implication of the ROO not yet finalised by 1 January 2021 implementation date?</p> <p>A: The lines affected cannot be the subject of an offer until finalisation.</p>
8.	<p>Q: Can you please provide documents for registering as an exporter in terms of the AfCFTA, as well as the necessary documents for Certificates of Origin in this regard.</p> <p>A: The application forms (DA. 185, DA 185.4A2 and DA 185. 4A7) are submitted manually at the nearest Customs and Excise Branch by making an appointment on this link: <a href="https://www.sars.gov.za/Contact/Pages/Make-an-Appointment.aspx">https://www.sars.gov.za/Contact/Pages/Make-an-Appointment.aspx</a>.</p> <p>Kindly refer to the links of the form below:  <a href="https://www.sars.gov.za/Legal/Secondary-Legislation/Rule-Amendments/Pages/2020.aspx">https://www.sars.gov.za/Legal/Secondary-Legislation/Rule-Amendments/Pages/2020.aspx</a></p>
9.	<p>Q: Can you please advise if a company that is already registered with Customs and Excise needs to register again for participation in the AfCFTA.</p> <p>A: Yes. AfCFTA registration is a separate registration type.</p>
10.	<p>Q: Is the registration application submitted to SARS electronically or manual?</p> <p>A: The DA. 185, DA 185.4A2 and DA 185. 4A7 form must be completed for application under the AFCFTA agreement and submitted manually at any SARS Customs Branch for processing.</p>