

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

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',

and

THE REPUBLIC OF SOUTH AFRICA,

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 DODATEČNĚ"
 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 "DUPLIKAT"
 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 кълето е отбелязано друго, тези продукти са с ... преференциален произход⁽²⁾.

Spanish version

El exportador de los productos incluidos en el presente documento [autorización aduanera n° ...⁽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. ...⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anders angegeben, präferenzbegünstigte ...⁽²⁾ Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliametikiinnitus nr ...⁽¹⁾) deklareerib, et need tooted on ...⁽²⁾ 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. ...⁽¹⁾] δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ...⁽²⁾.

English version

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

French version

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

Italian version

L'esportatore delle merci contemplate nel presente documento [autorizzazione doganale n. ...⁽¹⁾] dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ...⁽²⁾.

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas pilnvara Nr. ...⁽¹⁾), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no ...⁽²⁾.

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės liudijimo Nr. ...⁽¹⁾) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra⁽²⁾ preferencinės kilmės prekės.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ...⁽¹⁾) kijelentem, hogy eltérő egyértelmű jelzés hiányában az áruk preferenciális ...⁽²⁾ származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. ...⁽¹⁾) jiddikjara li, hlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali ...⁽²⁾.

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ...⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn⁽²⁾.

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr ...⁽¹⁾) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają ...⁽²⁾ preferencyjne pochodzenie.

Portuguese version

O abaixo assinado, exportador dos produtos abrangidos pelo presente documento [autorização aduaneira n.º ...⁽¹⁾], declara que, salvo indicação expressa em contrário, estes produtos são de origem preferencial ...⁽²⁾.

Romanian version

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ...⁽¹⁾) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ...⁽²⁾.

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št. ...⁽¹⁾) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno ...⁽²⁾ poreklo.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia ...⁽¹⁾) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v ...⁽²⁾.

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ...⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperä tuotteita⁽²⁾.

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ...⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung⁽²⁾.

South African versions

Bagwebi ba go romela ntle ditōweletōwa tōeo di akaretōwago ke tokumente ye (Nomoro ya ditōwantle ya tumelelo ...⁽¹⁾) ba ipolela gore ntle le moo go laeditōwego, ditōweletōwa tōe ke tōa go tōwa⁽²⁾ ka tlhago.

Moromelli wa sehlahiswa ya sireleditsweng ke tokomane ena (tumello ya thepa naheng No ...⁽¹⁾) e hlalosa hore, ka ntle ha eba ho hlalositse ka tselā e nngwe ka nepo, dihlahiswa tsena ke tsa ... tshimoloho e kgethilweng⁽²⁾.

Moromelantle wa dikuno tse di thagelelang mo lokwalong le (lokwalō lwa tumelelo ya kgethiso No ...⁽¹⁾) o tlhomamisa gore, ntle le fa go thagisitsweng ka mokgwa mongwe, dikuno tse ke tsa ... dinaga tse di thokegang⁽²⁾.

Umtfumeli ngaphandle walemikhicito lebalwe kulomculu (ngeligunya lalokutfunyelwa ngaphandle Nombolo ...⁽¹⁾) lophakamisa kutsi, ngaphandle kwalapho lekubonitse khona ngalokucacile, lemikhicito ... ngeyendzabuko lebonelelwako⁽²⁾.

Muvhambadzi wa zwibveledzwa mashangoni a nnda, (zwibveledzwa) zwine zwa vha zwo ambiwaho kha ili linwalo (linwalo la u nea maanda la mithelo ya zwitundwannda kana zwirumelwannda la vhu ...⁽¹⁾), li khou buletshedza uri, nga nnda ha musi zwo ambiwa nga inwe ndila-vho, zwibveledzwa hezwi ndi zwa ... vhubwo hune ha khou funesewa kana u takaleleswa⁽²⁾.

Muxavisela-vambe wa swikumiwa leswi nga eka tsalwa leri (Xibalo xa switundziwa xa Nomboro ...⁽¹⁾) u boxa leswaku, handle ka laha swi kombisiweke, swikumiwa leswi i swa ntiyiso swa xilaveko xa le henhla swinene⁽²⁾.

Die uitvoerder van die produkte gedek deur hierdie dokument (doeanemagtiging No ...⁽¹⁾) verklaar dat, uitgesonderd waar andersins duidelik aangedui, hierdie produkte van ... voorkeuroorsprong⁽²⁾ is.

Umtumelli-phandle wemikhiqizo ebalwe kilencwadi (inomboro ...⁽¹⁾) egunyaza imikhiqizo ephumako) ubeka uthi, ngaphandle kobana kutjengiswe ngendlela ethileko butjhatjhalazi, lemikhiqizo ine ... mwelaphi enconyiswako⁽²⁾.

Umtumeli weempahla ngaphandle kwelizwe wemveliso equkwa lolu xwebhu (iirhafu zempahla zesigunyaziso Nombolo ...⁽¹⁾) ubhengeza ukuthi, ngaphandle kwalapho kubonise ngokucacileyo, ezi mveliso ... zezemvelaphi eyamkelekileyo kunezinye⁽²⁾.

Umtumeli wempahla ebhaliwe kulo mqulu iNombolo ... yokugunyaza yentela yempahla ...⁽¹⁾ uyamemezela ukuthi, ngaphandle kokuthi kukhonjisiwe ngokusobala, le mikhiqizo iqhamuka ... endaweni ekhethekileyo⁽²⁾.

.....⁽³⁾

(Place and date)

.....⁽⁴⁾

(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 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.

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 zweitausendsieben.

Kahe tuhanda seitsmenda aasta oktoobrikuu kümnendal päeval Pretorias.

Έγινε στην Πρετόρια, στις δέκα Οκτωβρίου δύο χιλιάδες επτά.

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

Fait à Pretoria, le dix octobre deux mille sept.

Fatto a Pretoria, addì dieci ottobre duemilasette.

Pretorijā, divtūkstoš septītā gada desmitajā oktobrī.

Priimta du tūkstančiai septintųjų metų spalio dešimtą dieną Pretorijoje.

Kelt Pretoriában, a kétézer-hetedik év október havának tizedik napján.

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.

Întocmit la Pretoria, la zece octombrie două mii șapte.

V Pretórii desiateho oktobra dvetisícšedem.

V Pretorij, dne desetega oktobra leta dva tisoč sedem.

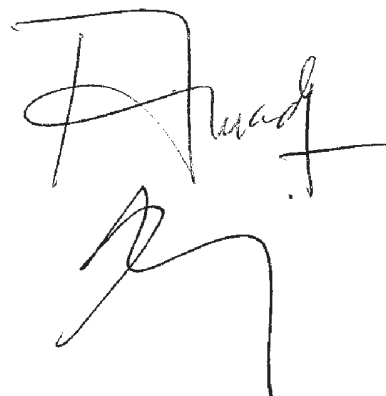
Tehty Pretoriassa kymmenentenä päivänä lokakuuta vuonna kaksituhattaseitsemän.

Som skedde i Pretoria den tionde oktober tjugohundrasju.

За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Per gli Stati membri
 Dalībvalstu vārdā
 Valstybių narių vardu
 A tagállamok részéről
 Ghall-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



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
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 Az Európai Közösség részéről
 Ghall-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
 För Europeiska gemenskapen



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
 WeRiphablikhi yoMzantsi Afrika
 WeRiphabhulikhi yaseNingizimu Afrika

