

South Africa extends tariff preferences under the Trade, Development and Cooperation Agreement (TDCA) to Bulgaria and Romania

In October 2007, an additional Protocol to the TDCA was signed by the EU and South Africa to take account of the accession of the Republic of Bulgaria and Romania to the EU. Under the Protocol, these two new Member States became parties to the TDCA and should have benefited retroactively from all advantages of the Agreement from 1 January 2007.

However, several economic operators from Romania and Bulgaria, as well as companies based in South Africa, complained that the products originating from these two countries were not benefiting from preferential customs duties when entering the South African territory. Since the signature of the Protocol at the end of 2007, regular input was received on this issue, from industry, as well as from the Bulgarian and Romanian Member States, both in the Market Access Advisory Committee and also on the ground in Pretoria during trade counsellors meetings.

The European Commission services and the EC Delegation regularly raised the issue with the South African Department of Trade and Industry (DTI), as well as with the South African Revenue Service (SARS) for direct application of the TDCA preferences to imports from Romania and Bulgaria.

On 20 February 2009, the South African government finally adopted Notice R 155 (<http://www.info.gov.za/view/DownloadFileAction?id=96513>) with a view to effectively implementing the Additional Protocol to the TDCA, to take account of the accession of Bulgaria and Romania to the EU. The measure entered into force the same day with retroactive effect from 1 January 2007. Therefore, duties unduly paid from 1 January 2007 on imports originating from Bulgaria and Romania into South Africa should be reimbursed. Our EU Delegation in Pretoria will continue to monitor the situation and we also invite EU business to let us know should they still encounter difficulties.

DG TRADE G. 1, in co-operation with the EC Delegation in South Africa and DG TRADE D .3

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