



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.8.2004
COM(2004) 554 final

Proposal for a

COUNCIL DECISION

concluding an 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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

(presented by the Commission)

EXPLANATORY MEMORANDUM

Ten new Member States acceded to the European Union on 1 May 2004. Under Article 6(2) of the Act concerning the Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustment of the Treaties on which the European Union is founded (hereinafter the 'Act of Accession'), the accession of the new Member States to the Agreement on Trade, Development and Cooperation (TDCA) with the Republic of South Africa has to be approved by the conclusion of a protocol to that Agreement. Article 6(2) provides for a simplified procedure, as these protocols are to be concluded by the Council of the European Union, acting unanimously on behalf of the Member States, and the third country concerned. This procedure is without prejudice to the Community's own competences.

Consequently, the Commission has negotiated this Additional Protocol for the EC part on behalf of the European Community and for the national competence part on behalf of the Member States on the basis of the negotiating directives adopted by the Council on 26 April 2004, and in consultation with a committee of the representatives of the Member States.

The Additional Protocol provides for the necessary technical adaptations of the TDCA that ensue from the accession of the new contracting parties, in particular regarding:

- Institutional provisions: the protocol includes a number of adjustments brought about by the accession of the new Member States to this mixed agreement and an increase in the number of official languages.
- Trade provisions: the TDCA provides for substantial trade liberalisation between the European Union and the Republic of South Africa, which in some cases is limited to tariff quotas. These tariff quotas have been reviewed on the basis of traditional trade between the new Member States, on the one hand, and the Republic of South Africa, on the other. The Additional Protocol makes adjustments to these where required.
- Rules of origin: the multilingual provisions in Protocol 1 to the TDCA concerning the definition of the concept of "originating products" and methods of administrative cooperation have been completed with the languages of the new Member States.

The Protocol as set out above has been negotiated and agreed with the Republic of South Africa.

Proposal for a

COUNCIL DECISION

concluding an 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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310 thereof,

Having regard to the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, and in particular article 6(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) 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, (hereinafter referred to as the “TDCA”), was signed in Pretoria on 11 October 1999.
- (2) The Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union (hereinafter referred to as “Treaty of Accession”) was signed in Athens on 16 April 2003.
- (3) An Additional Protocol to the TDCA is necessary to take account of the accession of the ten new Member States.
- (4) The Additional Protocol should therefore be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The 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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union, is hereby approved on behalf of the European Union and its Member States.

The text of the Additional Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to express the consent of the Community to be bound thereby.

Done at Brussels,

For the Council
The President

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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union

THE KINGDOM OF BELGIUM,
THE CZECH REPUBLIC,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE REPUBLIC OF ESTONIA,
THE HELLENIC REPUBLIC,
THE KINGDOM OF SPAIN,
THE FRENCH REPUBLIC,
IRELAND,
THE ITALIAN REPUBLIC,
THE REPUBLIC OF CYPRUS,
THE REPUBLIC OF LATVIA,
THE REPUBLIC OF LITHUANIA,
THE GRAND DUCHY OF LUXEMBOURG,
THE REPUBLIC OF HUNGARY,
THE REPUBLIC OF MALTA,
THE KINGDOM OF THE NETHERLANDS,
THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF POLAND,
THE PORTUGUESE REPUBLIC,
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 “Present Contracting Parties”)

HAVING REGARD 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, (hereinafter referred to as the “TDCA”), which was signed in Pretoria on 11 October 1999 and has entered into force on 1 May 2004;

HAVING REGARD TO the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union (hereinafter referred to as “Treaty of Accession”), signed in Athens on 16 April 2003;

CONSIDERING the accession of the ten new Member States to the European Union and thereby to the Community on 1 May 2004;

CONSIDERING that, pursuant to Article 6(2) of the Treaty of Accession, the accession of the new Contracting Parties to the TDCA has been agreed by the conclusion of a protocol to the TDCA;

HAVE AGREED AS FOLLOWS:

Section 1

Adjustments to the text of the TDCA including its Annexes and Protocols

Article 1

The Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of

Poland, the Republic of Slovenia, and the Slovak Republic (hereinafter referred to as ‘the new Member States’) shall be Parties 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, signed in Pretoria on 11 October 1999, and shall respectively adopt and take note, in the same manner as the other Member States of the Community, of the texts of the Agreement, as well as of the Annexes, Protocols and Declarations attached thereto.

Article 2

Languages and number of originals

Article 108 of the TDCA is replaced by the following:

This Agreement is drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, 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

Tariff Quota

In List 6 of Annex IV to the TDCA, the tariff quotas for global prepared fruit and for global mixed prepared fruit shall be increased by 1 225 tonnes and 340 tonnes, respectively.

Article 4

Rules of origin

Protocol 1 of the Agreement on Trade, Development and Cooperation shall be amended as follows:

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

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

- ES "EXPEDIDO A POSTERIORI"
- CS "VYSTAVENO DODATEČNĚ"
- DA "UDSTEDT EFTERFØLGENDE"
- DE "NACHTRÄGLICH AUSGESTELLT"

ET	"VÄLJA ANTUD TAGASIULATUVALT"
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"
SL	"IZDANO NAKNADNO"
SK	"VYDANÉ DODATOČNE"
FI	"ANNETTU JÄLKIKÄTEEN"
SV	"UTFÄRDAT I EFTERHAND"

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

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

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"
SL	"DVOJNIK"
SK	"DUPLIKÁT"
FI	"KAKSOISKAPPALE"
SV	"DUPLIKAT"

3. Annex IV shall be replaced by the following:

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.

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

Eksportøren 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 anderes angegeben, präferenzbegünstigte ...⁽²⁾ Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti kinnitus 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 jelzés hiányában az áruk kedvezményes ...⁽²⁾ származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. ...⁽¹⁾) jiddikjara li, ħlief 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 cobertos pelo presente documento (autorização aduaneira n.º. ...⁽¹⁾), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial ...⁽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 ... alkuperätuotteita ⁽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 ditöweletöwa töeo di akaretöwago ke tokumente ye (Nomoro ya ditöwantle ya tumelelo...⁽¹⁾) ba ipolela gore ntle le moo go laeditöwego, ditöweletöwa töe ke töa go töwa ⁽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 tsela e nngwe ka nepo, dihlahiswa tsena ke tsa ... tshimoloho e kgethilweng ⁽²⁾.

Moromelantle wa dikuno tse di tlhagelelang mo lokwalong le (lokwalo lwa tumelelo ya kgethiso No ...⁽¹⁾) o tlhomamisa gore, ntle le fa go tlhagisitsweng 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 lekuboniswe 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 funeswa 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.

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

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

Umthumeli 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.

Section 2

Transitional provisions

Article 5

Consultations

The Republic of South Africa undertakes that it shall not make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII in relation to this enlargement of the Community. Until the end of July 2004, the Community would, however, be willing to consider holding further consultations under Article 22.2 of the TDCA.

Article 6

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 of the date of accession, of proof of origin issued retrospectively by the customs authorities of the exporting country.

Article 7

Quotas in 2004

For the year 2004, the increases in the volumes of existing tariff quotas shall be calculated as a pro rata of the basic volumes, taking into account the part of the period elapsed before 1 May 2004.

Section 3

General and final provisions

Article 8

This Protocol shall form an integral part of 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.

Article 9

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 Parties shall notify each other of the accomplishment of the corresponding procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 10

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. It shall apply with effect from 1 May 2004.

Article 11

This Protocol is drawn up in duplicate in each of the official languages of the Contracting Parties as listed in Article 2, each of these texts being equally authentic.

Done at Brussels on

For the European Community

For the Republic of South Africa

LEGISLATIVE FINANCIAL STATEMENT

Policy area(s): 21 DEV

Activity: 21 03 Geographical Cooperation

TITLE OF ACTION:

1. BUDGET LINE(S) + HEADING(S)

None

2. OVERALL FIGURES

2.1. Total allocation for action (Part B): N/A

2.2. Period of application:

From 1 May 2004

2.3. Overall multi-annual estimate of expenditure:

(a) Schedule of commitment appropriations/payment appropriations (financial intervention) *(see point 6.1.1)*

€ million *(to three decimal places)*

	Year 2003	2004	2005	2006	2007	2008 and subs. Years	Total
Commitments	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Payments	0.0	0.0	0.0	0.0	0.0	0.0	0.0

(b) Technical and administrative assistance and support expenditure *(see point 6.1.2)*

Commitments	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Payments	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Subtotal a+b							
Commitments	0.0	0.0	0.0	0.0	0.0	0.0	15.0
Payments	0.0	0.0	0.0	0.0	0.0	0.0	0.0

- (c) Overall financial impact of human resources and other administrative expenditure
(see points 7.2 and 7.3)

Commitments/ payments	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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TOTAL a+b+c							
Commitments	0.0	0.0	0.0	0.0	0.0	0.0	15.0
Payments	0.0	0.0	0.0	0.0	0.0	0.0	0.0

2.4. Compatibility with financial programming and financial perspective

Proposal is compatible with existing financial programming.

Proposal will entail reprogramming of the relevant heading in the financial perspective.

Proposal may require application of the provisions of the Interinstitutional Agreement.

2.5. Financial impact on revenue:¹

Proposal has no financial implications (involves technical aspects regarding implementation of a measure)

OR

Proposal has financial impact – the effect on revenue is as follows:

(NB All details and observations relating to the method of calculating the effect on revenue should be shown in a separate annex.)

(€ million to one decimal place)

Budget line	Revenue	Prior to action [Year n-1]	Situation following action					
			[Year n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5]
	<i>a) Revenue in absolute terms</i>		0.0	0.0	0.0	0.0	0.0	0.0
	<i>b) Change in revenue</i>	Δ	0.0	0.0	0.0	0.0	0.0	0.0

(Please specify each budget line involved, adding the appropriate number of rows to the table if there is an effect on more than one budget line.)

¹ For further information, see separate explanatory note.

3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
Non-comp	Diff	NO	NO	NO	N° [4]

4. LEGAL BASIS

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,

Treaty of Accession of the ten New Member States to the Community.

5. DESCRIPTION AND GROUNDS

5.1. Need for Community intervention²

5.1.1. Objectives pursued

Accession of the new Member States to the Agreement on Trade, Development and Cooperation (TDCA) with the Republic of South Africa by the conclusion of a protocol to this Agreement.

5.1.2. Measures taken in connection with *ex ante* evaluation

No specific *ex ante* evaluation has been conducted.

5.1.3. Measures taken following *ex post* evaluation

No specific *ex post* evaluation has been conducted.

5.2. Action envisaged and budget intervention arrangements

5.3. Methods of implementation

Implementation methods will be consistent with the general implementation rules of the TDCA.

6. FINANCIAL IMPACT

6.1. Total financial impact on Part B - (over the entire programming period)

(The method of calculating the total amounts set out in the table below must be explained by the breakdown in Table 6.2.)

² For further information, see separate explanatory note.

6.1.1. Financial intervention

No financial interventions foreseen.

Commitments (in € million to three decimal places)

Breakdown	2003	2004	2005	2006	2007	[n+5 and subs. Years]	Total
No actions planned :	0.00	0.00	0.00	0.00	0.00		
TOTAL							

6.1.2. Technical and administrative assistance, support expenditure and IT expenditure (commitment appropriations)

	[Year n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5 and subs. years]	Total
1) Technical and administrative assistance							
a) Technical assistance offices							
b) Other technical and administrative assistance: - intra muros: - extra muros: <i>of which for construction and maintenance of computerised management systems</i>							
Subtotal 1							
2) Support expenditure							
a) Studies							
b) Meetings of experts							
c) Information and publications							
Subtotal 2							
TOTAL							

6.2. Calculation of costs by measure envisaged in Part B (over the entire programming period)³

The actions and measures to be funded will be defined by the feasibility study.

Commitments (in € million to three decimal places)

Breakdown	Type of outputs (projects, files)	Number of outputs (total for years 1...n)	Average unit cost	Total cost (total for years 1...n)
	1	2	3	4=(2X3)
<u>Action 1</u>				
- Measure 1				
- Measure 2				
<u>Action 2</u>				
- Measure 1				
- Measure 2				
- Measure 3				
etc.				
TOTAL COST				

If necessary explain the method of calculation

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

No impact on staff or administrative expenditure is anticipated.

7.1. Impact on human resources

Types of post	Staff to be assigned to management of the action using existing and/or additional resources		Total	Description of tasks deriving from the action
	Number of permanent posts	Number of temporary posts		
Officials or temporary staff	A B C			<i>If necessary, a fuller description of the tasks may be annexed.</i>
Other human resources				
Total				

³ For further information, see separate explanatory note.

7.2. Overall financial impact of human resources

Type of human resources	Amount (€)	Method of calculation *
Officials		
Temporary staff		
Other human resources (specify budget line)		
Total		

The amounts are total expenditure for twelve months.

7.3. Other administrative expenditure deriving from the action

Budget line (number and heading)	Amount €	Method of calculation
Overall allocation (Title A7)		
A0701 – Missions		
A07030 – Meetings		
A07031 – Compulsory committees ¹		
A07032 – Non-compulsory committees ¹		
A07040 – Conferences		
A0705 – Studies and consultations		
Other expenditure (specify)		
Information systems (A-5001/A-4300)		
Other expenditure - Part A (specify)		
Total		

The amounts are total expenditure for twelve months.

¹ Specify the type of committee and the group to which it belongs.

I.	Annual total (7.2 + 7.3)	€
II.	Duration of action	years
III.	Total cost of action (I x II)	€

(In the estimate of human and administrative resources required for the action, DGs/Services must take into account the decisions taken by the Commission in its orientation/APS debate and when adopting the preliminary draft budget (PDB). This means that DGs must show that human resources can be covered by the indicative pre-allocation made when the PDB was adopted.

Exceptional cases (i.e. those where the action concerned could not be envisaged when the PDB was being prepared) will have to be referred to the Commission for a decision on whether and how (by means of an amendment of the indicative pre-allocation, an ad hoc redeployment exercise, a supplementary/amending budget or a letter of amendment to the draft budget) implementation of the proposed action can be accommodated.)

8. FOLLOW-UP AND EVALUATION

8.1. Follow-up arrangements

Follow-up arrangements will be no different from those already planned in the TDCA.

8.2. Arrangements and schedule for the planned evaluation

Arrangements for evaluation will be no different from those already planned in the TDCA.

9 ANTI-FRAUD MEASURES

Fraud prevention and protection measures will be no different from those already planned in the TDCA.
