

Annex on the Institutionalisation of the Southern African Customs Union Summit

**Presentation to the Select Committee on
Trade and International Relations**

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Department:
Trade and Industry
REPUBLIC OF SOUTH AFRICA

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Background

- South Africa is a signatory Member of the Southern African Customs Union (SACU)
- SACU is the world's oldest customs union – since 1910
- Reviewed and gave rise to the 1969 Agreement
- SACU Agreement re-negotiated, signed in 2002 and entered into force on 15 July 2004
- Highest decision making institution in the 2002 Agreement is the Council of Minister
- Established a Secretariat in 2004 - hosted by Namibia
- SACU is in the process of institutionalising Summit as the highest decision making institution

Heads of State and Government decisions

- The first meeting of SACU Heads of State and government took place on 22 April 2010.
- It was at this meeting that Heads of State and Government decided that SACU should have a Summit that will be the highest decision making body that will provide political and strategic guidance
- The Annex to institutionalise Summit was developed and adopted by Council in 2012.
- Heads of State and Government signed the Annex at a meeting held in Botswana in 2013

Objectives of the Annex

- The main objective of the annex is to make provision for the establishment of Summit as an additional institution of SACU in terms of Article 8(8) of the 2002 SACU Agreement.
- The Annex aims to provide an opportunity for Heads of State provide strategic and political guidance to the Council of Ministers.
- The institution of Heads of State and Government is also provided for in almost all of the regional integration arrangements on the continent.

The role of the Summit

- To provide political and strategic direction to SACU.
- To deliberate on some of the reports of the Council of Ministers that require strategic direction
- To meet from time to time to assess the status of implementation of SACU Agreement, policies, strategies and work programmes.



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Procedural and legal implications

- The Annex was referred to Departments of Justice and Constitutional Development and International Relations and Cooperation for opinion and advice
- The Department of Justice and International cooperation advised that the Annex be ratified by Parliament in line with Section 231(2) of the Constitution.
- Cabinet has approved that the Annex be tabled before Parliament
- the dti will act as the Competent Authority to oversee the implementation of the Annex on behalf of Government.



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