

ANNEX III

CONCERNING SIMPLIFICATION AND HARMONISATION OF TRADE DOCUMENTATION AND PROCEDURES

PREAMBLE

The High Contracting Parties

RECALLING the provisions of Article 14 of this Trade Protocol which requires the simplification and harmonisation of trade documentation and procedures;

RECOGNISING that cumbersome trade documentation and procedures can be a barrier to intra-community trade in goods and services;

AWARE of the need to adopt internationally accepted standards and guidelines for facilitating trade documentation and procedures;

HEREBY AGREE as follows,

ARTICLE 1 DEFINITIONS

"Document"	means paper and or other medium designed to carry and actually carrying data or information, and includes magnetic tapes and risks, and microfilm;
"Trade facilitation"	means the coordination and rationalisation of trade procedures and documents relating to the movement of goods in international trade from the place of consignment to the destination;
"Trade procedures"	means activities relating to the collection, presentation, processing and dissemination of data and information concerning all activities constituting international trade;

ARTICLE 2 OBJECTIVE

The objective of this Annex is to promote co-operation among Member States in simplifying and harmonising trade documentation and procedures for the purpose of facilitating intra-SADC trade.

ARTICLE 3 REDUCTION OF COSTS OF TRADE DOCUMENTATION

Member States undertake to reduce the cost of all trade documentation and procedures by:

- a) aligning intra-SADC and international trade documentation on the United Nations Layout Key;
- b) reducing to a minimum the number of national documents and copies required for intra-community and international trade transactions;

- c) harmonising the nature of the information to be contained in documents referred to in sub-paragraph (a) of this paragraph;
- d) reducing to a minimum the number of institutions required to handle documents referred to in sub-paragraph (a) of this paragraph;
- e) centralising to the extent possible the issuing and processing of documents required for intra-SADC and international trade.

ARTICLE 4

STANDARDISATION OF TRADE DOCUMENTS AND INFORMATION

1. Member States undertake to use internationally accepted standards, practices and guidelines, as a basis for designing, and standardising their trade documents and the information required to be contained in such documents.
2. Member States undertake to encourage and facilitate the use of data processing techniques in processing and transmitting trade data between the various parties and authorities involved in intra-SADC and international trade.
3. Member States shall review national legislation with a view to ensuring that its provisions allow the implementation of paragraph 2 of this Article. In particular, national legislation shall provide for:
 - a) other information transmission methods as an alternative to paper based documentary requirements e.g. magnetic media and tele-transmission;
 - b) other authentication methods as an alternative to hand-written and other paper-based signatures;
 - c) the definition of relevant terms by using internationally accepted definitions which take account of data processing media;
 - d) the possibility of using public telecommunication infrastructure and of developing and using private telecommunication lines, for trade data transmission;
 - e) provisions concerning documentary evidence appropriate to modern information technology.
4. The Secretariat shall keep Member States informed regarding trade facilitation activities, instruments, recommendations and guidelines of other international organisations, particularly of:
 - a) The UN Economic Commission for Africa (ECA) – Working Party on Trade Procedures;
 - b) The United Nations Conference on Trade and Development (UNCTAD);
 - c) The World Customs Organisation (WCO);
 - d) The International Maritime Organisation (IMO);
 - e) The International Civil Aviation Organisation (ICAO);
 - f) The International Standards Organisation (ISO);

- g) The International Chamber of Commerce (ICC) and the International Bureau of Chamber of Commerce (IBCC);
- h) The International Air Transport Association (IATA);
- i) The International Chamber of Shipping (ICS);
- j) The World Trade Organisation (WTO)

ARTICLE 5
TRADE FACILITATION

Member States undertake to initiate trade facilitation programmes aimed at:

- a) reducing the cost of documents and the volume of paper work required in respect of trade between Member States;
- b) ensuring that the nature and volume of information required in respect of trade within the Community does not adversely affect the economic development of, or trade among, the Member States;
- c) adopting common standards of trade procedures within the Community where international requirements do not suit the conditions prevailing among Member States;
- d) ensuring adequate coordinating between trade and transport facilitation within the Community;
- e) keeping under review the procedures adopted in international trade and transport with a view to simplifying and adopting for use by Member States;
- f) collecting and disseminating information on international development regarding trade facilitation;
- g) promoting the development and adoption of common solutions to problems in trade facilitation among Member States; and
- h) initiating and promoting the establishment of joint programmes, for the training of personnel engaged in trade facilitation among Member States.

ARTICLE 6
SUB-COMMITTEE ON TRADE FACILITATION

CMT shall appoint a Sub-Committee on Trade Facilitation which shall be responsible for the implementation of the provisions of this Annex, as provided for under Article 31(2)(c) of the Trade Protocol. It shall address matters of trade documentation and procedures, particularly those relating to:

- a) exportation and importation;
- b) export and import licensing;
- c) insurance of goods;
- d) transit operations;

- e) international transport and licensing of carriers; and
- f) statistical control and dissemination of information on trade documents.

ARTICLE 7
REGULATIONS

CMT shall adopt regulations on Trade Facilitation, for the implementation of the provisions of this Annex.