

EC/South Africa Agreement on Trade, Development and Cooperation: amending the 1999 Agreement

2010/0119(NLE) - 09/06/2010 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, amending the Agreement on Trade, Development and Cooperation.

PROPOSED ACT: Council Decision.

BACKGROUND: the Agreement between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, amending the Agreement on Trade, Development and Cooperation was signed on behalf of the Community and the Member States on 11 September 2009 in Kleinmond, South Africa.

Article 3 of the Agreement establishes that it should be approved by the European Union, by the Member States, and by the Republic of South Africa in accordance with their own procedures.

Following the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union should make a notification to the Republic of South Africa as regards the European Union having replaced and succeeded the European Community. The Agreement should be approved on behalf of the European Union.

IMPACT ANALYSIS: no impact has been carried out.

LEGAL BASIS: Article 217 in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this Decision aims to approve the Agreement between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, amending the Agreement on Trade, Development and Cooperation, on behalf of the European Union.

For details of the content of the Agreement, please refer to the summary of the document annexed to the procedure dated 01/04/2008.

The draft Decision also specifies that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".

BUDGETARY IMPLICATION: this proposal has no implication on the EU budget.