

IMPLEMENTATION OF HS 2022 AMENDMENTS IN SACU



On Friday 26th February 2021, all SACU Member States simultaneously published draft tariff amendments for public comment in preparation for implementation of a new version of the Harmonised System (HS) 2022 on the 1st January 2022. The idea of simultaneous publication is an effort to promote harmony and uniformity in the management of the SACU Common External Tariff (CET) and to protect its integrity.

The SACU Member States, being the contracting parties to the Harmonised System Convention developed under the auspices of the World Customs Organisation (WCO), are obliged to align the SACU Common External Tariff to the latest version of the HS Nomenclature. Whereas the SACU CET is currently based on the 2017 version of the Nomenclature (HS 2017), the WCO has since released a new version of the HS known as HS 2022, which will enter into force on the 1st January 2022.

With the support of the European Union (EU) and the WCO under a their Programme for HS in Africa, the SACU Member States, coordinated by the SACU Secretariat, have therefore started the migration process towards January 2022.

The publication of draft amendments for public comment therefore comes as one of the first steps to prepare for implementation of the HS 2022 amendments. This is the first consultation with the public, which will last until the end of March 2021 in the BELN while in South Africa, it will go until the end of April in order to incorporate the comments from BELN. This will be followed by a regional workshop to discuss and incorporate stakeholders' comments. A follow up round of consultations is expected to take place before finalisation of the amendments. The consultation with stakeholders is not only important but is also in conformity with the requirements of the World Trade Organisation (WTO) Trade Facilitation Agreement (TFA).

The draft amendments published by the five Member States for public comments are identical and can be found on the following links:

Botswana	<ul style="list-style-type: none"> • http://www.burs.org.bw/
Eswatini	<ul style="list-style-type: none"> • http://www.sra.org.sz/portal/pageview.php?id=103&name=Customs%20Tariffs
Lesotho	<ul style="list-style-type: none"> • http://www.lra.org.ls/guidelines • http://www.lra.org.ls/sites/default/files/2021-02/HS%202022%20Part%201%20of%20Schedule%20No%20%201%20%28Final_Corrected%2022%2002%202021%29_0.pdf • http://www.lra.org.ls/sites/default/files/2021-02/HS%202022%20general%20notes%20%28final%29%2819%20February%202021%29_0.pdf
Namibia	<ul style="list-style-type: none"> • https://mof.gov.na/documents/35641/85278/Amendments+to+the+Harmonized+System+Nomenclature+Effective+01+January+2022.pdf/f3d6eda1-8eed-39bd-2a53-44f3e634625f
South Africa	<ul style="list-style-type: none"> • https://www.sars.gov.za/Legal/Primary-Legislation/Pages/HS-2022.aspx • https://www.sars.gov.za/Legal/Preparation-of-Legislation/Pages/Draft-Documents-for-Public-Comment.aspx