

LEGAL NOTICE No.....

**THE STANDARDS ACT
(Cap. 496)**

IN EXERCISE of the powers conferred by Section 20 of the Standards Act, the Cabinet Secretary for Industry, Trade and cooperatives in consultation with the National Standards Council, makes the following Order—

THE STANDARDS (VERIFICATION OF CONFORMITY TO STANDARDS AND OTHER APPLICABLE REGULATIONS OF IMPORTS) ORDER, 2020

- 1.** This Order may be cited as the Standards (Verification of Conformity to Standards and other Applicable Regulations of Imports) Order, 2020. Citation
- 2.** (1) This Order shall apply to all products imported into Kenya. Application

(2) Notwithstanding subparagraph (1), the products specified in the first column of the Schedule shall be exempted from the provisions of this order subject to the submission of the conditions specified in the second column.

(3) The products specified in the Schedule may be inspected upon arrival at the Port of Entry.
- 3.** A person who imports products shall ensure that the products meet Kenya standards, approved specifications and/or other applicable regulations. Compliance with standards.
- 4.** Kenya Bureau of Standards shall appoint an inspection body or bodies in the country of exportation of products or in a transshipment port to undertake verification of conformity to Kenya standards, approved specifications and/or other applicable regulations. Appointment of inspection bodies
- 5.** All products which are subject to this order shall be subjected to verification of conformity to Kenya standards or approved specifications and other applicable regulations in the country of exportation or in a transshipment port by the inspection body or bodies appointed under paragraph 4 and may be re-inspected by Kenya Bureau of Standards at the Port of Entry if it is deemed necessary, Verification of conformity
- 6.** (1) The Kenya Bureau of Standards or inspection body or bodies shall issue a Certificate of Conformity, Certificate of Certificate of conformity and non-conformity report.

Inspection or Certificate of Roadworthiness in respect of products that conform to the Kenya standards, approved specifications or other applicable regulations and a non-conformity report in respect of products which do not conform.

(2) Any products, which do not conform to the Kenya standards or approved specifications or other applicable regulations, shall not be permitted into Kenya and shall be rejected and re-exported back to the country of exportation or destroyed at the expense of the importer.

7. (1) Products which are subject to this order arriving at the port of entry without a certificate of conformity, certificate of inspection or certificate of road worthiness shall be subjected to destination inspection at a fee equivalent to 5% of the approved customs value of the products.

Destination inspection

(2) The importer of such products shall, in addition to the fee imposed in subparagraph (1) execute a security bond in favor of Kenya Bureau of Standards equivalent to the said fee.

(3) The products arriving at the port of entry without a certificate of conformity, certificate of inspection or certificate of road worthiness in subparagraph 1 above shall be held at the port of entry or kept in an approved warehouse for the purpose of inspection and testing.

8. The Cabinet Secretary may, on the advice of National Standards Council, exempt any imports from the provisions of this Order where the Cabinet Secretary is satisfied that it is in the national interest to do so.

Exemption

9. The Verification of Conformity to Kenya Standards of Imports Order, 2019 is revoked.

Revocation of
L.N. 183/2019

SCHEDULE

CRITERIA FOR EXEMPTION OF SPECIFIC IMPORTERS FROM PVOC REQUIREMENTS

| SN | CATEGORY | DOCUMENTS REQUIRED |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Industrial raw materials excluding those materials specified by NSC from time to time), completely knocked down kits for road vehicles, machinery and industrial spares imported by registered manufacturers for own use. | Certificate of registration of the manufacturer or assembler by the Kenya Bureau of Standards (KEBS) or any other regulatory agency responsible for regulating the manufactured products. Certificate of analysis/material safety data sheet for raw materials |
| 2 | Equipment and Original Equipment Manufacturer's (OEM) parts for power generation connected directly to the national grid. | Evidence of Original Equipment Manufacturer warranty |
| 3 | Original Equipment medical Manufacturer's parts for medical equipment | Evidence of Original Equipment Manufacturer for spare parts. Evidence of Manufacturer's warranty |
| 4 | Products imported by diplomats and diplomatic missions except motor vehicles. | Form "PRO IA" or "PRO 1B" issued by the Ministry of Foreign Affairs. |
| 5 | Courier parcels with a value to be specified by National Standards Council and Direct assessment items as may be approved by Kenya Revenue Authority. | Parcel handler's license issued by the Communications Authority of Kenya Direct assessment documents approved by Kenya Revenue Authority |
| 6 | Products certified by Kenya Bureau of Standards (KEBS) under the Diamond Mark | Valid Diamond Mark Permit issued by Kenya Bureau of Standards |

| | Scheme | |
|----|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7 | Products manufactured within the East African Community (EAC) | Certificate of Origin Product Certification Permit or Certificate of Analysis (raw materials) or Test Report issued by the respective National Standard Body of origin. |
| 8 | Used personal effects belonging to returning residents and arriving expatriates excluding road vehicles. | Approval by the Kenya Revenue Authority (KRA) |
| 9 | General consumables (stores) imported by international carriers for inflight / ships services and duty free products | Proof of licensing as international carrier. Authority by KRA as proof to operate as duty free |
| 10 | Re- imports | Re-importation certificate issued by the Kenya Revenue Authority (KRA) |
| 11 | Temporary imports | Proof of bond execution with Kenya Revenue Authority. Carnet Certificate (for vehicles) |
| 12 | New road vehicles and new mobile equipment | Manufacturer Warranty /type approval |
| 13 | Life organisms (plants and animals) | Requisite Sanitary and phytosanitary Certification. Import permit |
| 14 | Printed matter and recorded digital media. | |

Dated the.....

HON. PETER MUNYA

Cabinet Secretary for Industry, Trade, and Co-operatives.