



**STANDARDS ACT, 1974**

*Cap 496*

**THE STANDARDS (PRODUCT CERTIFICATION) REGULATIONS, 2026**

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DRAFT

**Cap 496**

**THE STANDARDS (PRODUCT CERTIFICATION) REGULATIONS, 2026**

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

**THE STANDARDS (PRODUCT CERTIFICATION) REGULATIONS, 2026**

**PART I—PRELIMINARY**

1. Citation                      These Regulations may be cited as the Standards (Product Certification) Regulations, 2026.
  
2. Interpretation                In these Regulations, unless the context otherwise requires;  
  
  “Act” means the Standards Act, Cap 496 Laws of Kenya  
  
  “Applicant” means a person applying for a Permit to use a standardization mark under these Regulations.  
  
  “Bureau” means the Kenya Bureau of Standards established under Section 3 of the Act;  
  
  “Council” means the National Standards Council established under Section 6 of the Act.  
  
  “Permit” means the authorization to utilize a Product Certification Mark under these Regulations  
  
  “Permit holder” means a person to whom the Bureau has assigned a Permit for the use of a Product Certification Mark under these Regulations.  
  
  “Product Certification Marks” means the Standardization Mark, Diamond Mark of Quality or any other mark as may be required by any other written law and administered by the Bureau  
  “Standardization Mark” means a Mark designated by the Council under Section 10 of the Act.

“Scheme of supervision and control” means a product certification agreement that sets out responsibilities of a permit holder and the Bureau.

“Suspension” means temporary invalidation of permit

“withdrawal” means withdrawal or revocation of a permit

3. Object of the Regulations      The object of these Regulations is to:-
- a) Provide for establishment of product certification marks;
  - b) Provide for a process for administration of product certification marks;
  - c) Enhance the quality and safety of products; and
  - d) Facilitate local, regional and international trade.
4. Application      In accordance with Section 10(1) of the Act, these Regulations shall apply to:
- (a) any product which is the subject of a mandatory standard; and
  - (b) any product for which an approved specification applies.

## **PART II -PRODUCT CERTIFICATION MARKS**

5. Standardization Mark      (1) The Standardization Mark shall be as set out under the First Schedule.
- (2) The Standardization Mark shall be mandatory in respect of locally manufactured products for which a mandatory standard has been declared.
- (3) The Standardization Mark may be issued in respect of locally manufactured products for which the Council has approved a Specification.
- (4) No person shall manufacture or offer for sale any product subject of Section 9(2) of the Act without applying a valid Standardization Mark.
6. The Diamond Mark of Quality      (1) The Diamond Mark of Quality shall be as set out in the First schedule.
- (2) The Diamond Mark of Quality shall be awarded to a product which demonstrates consistency in compliance to the relevant standard or approved specification.

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**PART III - REQUIREMENTS FOR GRANT OF PERMIT TO USE PRODUCT CERTIFICATION MARKS**

7. Eligibility for grant of a Standardization Mark permit A person shall be eligible for grant of a Permit to use the Standardization Mark if they:
- (a) Are a registered legal entity;
  - (b) Have a physical address in Kenya; and
  - (c) Demonstrate capacity to manufacture a product in Kenya in accordance with standards or approved specification;
8. Eligibility for grant of Diamond Mark of Quality permit A person shall be eligible for grant of a Permit to use a Diamond Mark of Quality if they:
- (a) Are a registered legal entity;
  - (b) Have a physical address in Kenya; and
  - (c) Demonstrate consistent compliance with the standards or specifications applicable to a product.
9. Application for a Product Certification Mark a An application for grant of Permit to use a Product Certification Mark shall be made in the forms specified in the Second Schedule and upon payment of the fees set out in the Third Schedule.
10. Evaluation
- (1) The Bureau shall, upon receiving an application under these Regulations evaluate the application and, may —
    - (a) acknowledge receipt
    - (b) review for completeness
    - (c) inspect the production premises
    - (d) take samples as applicable
  - (2) Within 60 days from the date of receipt of the application, the Bureau shall:
    - (a) issue a permit; or
    - (b) reject the application with reasons.
    - (c) where the application is rejected and the applicant is able to rectify the deficiency within 30 days, the application may be re-evaluated after the deficiency is rectified.
11. Scheme of supervision and control of (1) Where satisfied that an applicant meets the requirements set in these regulations for the grant of a Permit to use a Product Certification Mark, the Bureau may enter into a Scheme of Supervision and

- Control to obligate the applicant to manufacture the certified product in accordance with specified requirements.
- (2) A permit shall not be issued unless the applicant has agreed to comply with the scheme of supervision and control
12. Grant of Permit
- (1) The Bureau, on being satisfied that the applicant meets the requirements set in these regulations, may issue a Permit to use a Product Certification Mark to the applicant;
- (2) A Permit granted under these regulations shall be an authority for the holder to apply the Product Certification Mark on the product subject to the conditions of the grant of the Permit.
- (3) The Bureau may by notice in writing vary the conditions of a Permit where:
- (a) A new standard is declared in respect of the product
- (b) An existing standard relating to the product is revised
13. Validity of Permit
- (1) A Permit for Standardization Mark shall remain valid for two years from the date of issue.
- (2) A Permit for Diamond Mark of Quality shall remain valid for four years from the date of issue.
14. Renewal of Permit
- (1) A Permit holder may apply for renewal of a Permit to use a Product Certification Mark by submitting the relevant forms as set out in the Second Schedule and payment of the renewal fee set out in the Third schedule.
- (2) The process outlined in Regulation 9 shall apply in evaluating an application for renewal with necessary modifications.
15. Register of certified products
- The Bureau shall establish and maintain a publicly available register which shall include: -
- (a) Name of the Permit holder;
- (b) Description of the certified products, including their brands;
- (c) Unique identification number of the Permit;

- (d) Number and title of relevant standard to which the product has been certified and
- (e) Date of issuance and expiry of the Permit.

**PART IV-USE OF PRODUCT CERTIFICATION MARKS**

16. Obligations of A Permit holder shall:-  
Permit holders
- (1) Use the Product Certification Marks on products specified in the Permit and manufactured in the physical location named in the Permit.
  - (2) Be responsible for the compliance of the product to the standard or specification in relation to which the Product Certification Mark is used or applied including approved changes thereto
  - (3) Not transfer the Permit to any other person, product, brand or site.
  - (4) Comply with the scheme of supervision and control for the product listed in the Permit.
  - (5) Maintain records relating to production, quality and distribution of a certified product as specified in the scheme of supervision and control.
  - (6) Display the Product Certification Mark on the product as prescribed in the Scheme of Supervision and Control.
  - (7) Bear the costs incurred by the Bureau for inspection and related activities in maintaining certification requirements.
  - (8) Notify the Bureau in the event of stoppage of production.
  - (9) Comply with any requirements, guidelines including revisions thereof, issued by the Bureau on the use of the Product Certification Mark.
  - (10) In the event of any revision of standards or specifications, comply with any new requirements set forth in relation to the certified product subject to any transitional provisions provided.
  - (11) Cooperate with the Bureau in its conduct of inspection or other monitoring activities in respect of the Permit.
  - (12) Provide such samples as the Bureau may require, at no cost, for purposes of testing
  - (13) Furnish proof that the product or process in respect of which a Permit was issued continues to conform to the applicable standard or approved specification.
17. Saving for products manufactured A product manufactured while a permit was valid shall not be treated as non-compliant solely because the permit has expired, if the product

during the validity of a permit continues to comply to the applicable standard or approved specification.

18. Enforcement measures
- (1) No person shall manufacture a product to which these Regulations apply unless they obtain the relevant Product Certification Mark.
- (2) In case of non-compliance with subsection (1), the Bureau may —
- (a) direct halting distribution or sale of the product;
  - (b) seize and detain the product for testing;
  - (c) direct the manufacturer to order recall of the product;
  - (d) order stoppage of use of the standardization mark;
  - (e) direct removal of content referring to the product without a valid product certification mark from the market;
  - (f) require the manufacturer to undertake correction or corrective action;
  - (g) issue a notice informing the public of the product without a certification mark
19. Cancellation and suspension of a Permit
- (1) In accordance with Section 10A of the Act the Bureau may cancel or suspend a permit by issuing a notice if —
- (a) the Bureau determines that the permit holder no longer meets the requirements under this Act; or
  - (b) the permit holder fails to comply with the conditions of the permit.
- (2) Where any Permit is cancelled, the Bureau may publish the reasons for cancellation and the particulars of the Permit cancellation.
20. Disputes
- (1) Any person aggrieved by any decision under these Regulations may request for a review by the Director.
- (2) Despite sub-regulation 1, any person aggrieved by any decision under these Regulations may, within fourteen days of the decision, file an appeal to the Standards Tribunal.

#### **PART V MISCELLANEOUS PROVISIONS**

21. Offences
- No person shall:
- (a) Apply a Product Certification Mark to any product unless he is the holder of a Permit granted in accordance with these regulations.
  - (b) Forge, modify, tamper, imposture or otherwise misrepresent a Permit or a mark issued under these regulations.

Any person who contravenes shall be liable to the penalty provided for under Section 15 (1) of the Act,

22. Transition, repeal and savings
- (1) The Standardization Marks (Permits and Fees) Regulations, 1977 is revoked.
  - (2) Despite sub-regulation 1, any permit issued immediately before the commencement of these regulations shall, on or after such commencement, have force as if was issued under these regulations for the unexpired period of that permit.

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**FIRST SCHEDULE  
(R 5)**

Standardization mark



SM#PERMIT NUMBER

Diamond Mark of Quality




DM#PERMIT NUMBER

**SECOND SCHEDULE  
(R 9)**

**PCR 1 - APPLICATION FORM FOR GRANT/RENEWAL OF A PERMIT TO USE A  
STANDARDIZATION MARK**

I/We the undersigned hereby apply for the grant of a permit/renewal of the permit No.....  
to use the standardization mark on the commodity specified here under:

Standardization Mark	Description of the commodity upon and in respect of which the standardization mark is to be used	Trade mark or brand which is in use in respect of the commodity
		

In connection with this application, I/We the undersigned hereby declare that the commodity referred to in column 2 above and the process and practice which is or will be carried out by me/us in the production of the commodity shall at all times comply with the standard specification bearing the number KS..... and the title.....

.....  
Date ..... Signature of applicant


Applicant Name .....  
Designation .....  
Name of firm .....  
Postal address.....  
Telephone No .....  
Email address.....  
Physical address.....  
Plot No .....

**Notes:**

1. Every applicant for the issue of permit shall pay, at the time of filing the application a fee for each application
2. To be submitted in duplicate (two identical forms)
3. An application for a Standardization Mark Permit shall be valid for a period of six months from the date of application after which, if the applicant has not granted the Bureau access to enable inspection of the manufacturing site, the fees paid shall be forfeited to the Bureau and the applicant shall submit a new application.

**PCR 2 - DIAMOND MARK OF QUALITY APPLICATION FORM**

I/We the undersigned hereby apply for the grant of a permit/renewal of the permit No..... to use the Diamond Mark of Quality on the commodity specified here under:

Diamond Mark	Description of the commodity upon and in respect of which the standardization mark is to be used	Trade mark or brand which is in use in respect of the commodity
		

In connection with this application, I the undersigned hereby declare that the commodity referred to in column 2 above and the process and practice which is or will be carried out by us in the production of the commodity shall at all times comply with the standard specification bearing the number KS..... and the title.....

.....  
Date Signature of applicant

Applicant Name .....

Designation .....

Name of firm .....

Postal address.....

Telephone No .....

Email address.....

Physical address.....

Plot No .....

**Notes:**

1. Every applicant for the issue of permit shall pay, at the time of filing the application a fee for each application
2. To be submitted in duplicate (two identical forms)
3. An application for a Diamond Mark of Quality Permit shall be valid for a period of six months from the date of application after which, if the applicant has not granted the Bureau access to enable inspection of the manufacturing site, the fees paid shall be forfeited to the Bureau and the applicant shall submit a new application.

**THIRD SCHEDULE  
(R 6)**

**FEE PAYABLE ON APPLICATION OF A PRODUCT CERTIFICATION MARK**

**FEE FOR APPLICATION AND RENEWAL OF THE STANDARDIZATION MARK PER PRODUCT/BRAND/PRODUCTION SITE**

<b>Firm Category As Per Annual Turnover Before Tax (Ksh.)</b>	<b>Permit Fees For 2 Years (Ksh.) (Exclusive of taxes)</b>	<b>Inspection Fees Per Production Site (recovered at cost)*</b>
More than 5,000,000	20,000	
500,001 to 5,000,000	15,000	
Up to 500,000	5,000	

Basis of costing for the inspection fee\* shall be costs of

- Sampling
- Testing
- Inspection
- Administrative charges

**FEE FOR APPLICATION AND RENEWAL OF THE DIAMOND MARK OF QUALITY PER PRODUCT/BRAND/PRODUCTION SITE**

<b>Firm Category</b>	<b>Permit Fees For 4 Years (Exclusive of taxes)</b>	<b>Inspection fee (recovered at cost)*</b>
Manufacturer in Kenya	Ksh. 240,000	None
Manufacturer outside Kenya	USD 23,200	Basis of costing for the inspection fee* shall be costs of <ul style="list-style-type: none"> <li>• Travel and logistics charges</li> <li>• Surveillance Inspection charges during the permit validity period</li> </ul>