



Kenya

Ratified Agreement: **Yes**

Ratification Date: **2015-12-10**

Implementation Notifications (Categories A, B, C)

Notified all category ABC designations				Yes
A - 7.6%	B - 23.9%	C - 68.5%	Not yet notified - 0.0%	
Notified indicative dates in Category B				Yes
Notified definitive dates in Category B				Yes
Notified indicative dates in Category C				Yes
Notified definitive dates in Category C				Yes
Notified Technical Assistance requirements				Yes

Implementation Notifications (Categories A, B, C)

Notified arrangements on the provision of technical assistance support

No

Notified progress in the provision of technical assistance support

No

Transparency notifications

Notified Art. 1.4

Category A

Definitive implementation date by 22 February 2017

No

Notified Art. 10.4.3

Category C

Definitive implementation date by 30 June 2033

No

Notified Art. 10.6.2

Category A

Definitive implementation date 22 February 2017

No

Notified Art. 12.2

Category C

Definitive implementation date 30 June 2026

No

Information on Assistance and Capacity Building

Notified Art. 22.3

Yes

Detailed notification breakdown			Indicative implementation date	Definitive implementation date
1.1	Publication	B	by 22 February 2023	by 30 June 2026
1.2	Information available through internet	C	by 22 February 2026	by 30 June 2029
1.3	Enquiry points	B	by 22 February 2023	by 30 June 2026
1.4	Notification	A		by 22 February 2017
2.1	Comments and information before entry into force	B	by 22 February 2023	by 30 June 2026
2.2	Consultations	B	by 22 February 2023	by 30 June 2026
3	Advance rulings	B	by 22 February 2023	by 30 June 2025
4	Procedures for appeal or review	Ap Cp	from 22 February 2017 to 22 February 2023	from 22 February 2017 to 30 June 2026
5.1	Notifications for enhanced controls or inspections	C	by 22 February 2023	by 30 June 2026
5.2	Detention	A		by 22 February 2017
5.3	Test procedures	C	by 22 February 2023	by 30 June 2033
6.1	General disciplines on fees and charges	C	by 22 February 2030	by 30 June 2033
6.2	Specific disciplines on fees and charges	C	by 22 February 2023	by 30 June 2026
6.3	Penalty Disciplines	C	by 22 February 2023	by 30 June 2033
7.1	Pre-arrival processing	C	by 22 February 2023	by 30 June 2026
7.2	Electronic payment	B	by 22 February 2025	by 30 June 2028

Detailed notification breakdown			Indicative implementation date	Definitive implementation date
7.3	Separation of release	B	by 22 February 2023	by 30 June 2026
7.4	Risk management	C	by 22 February 2023	by 30 June 2026
7.5	Post-clearance audit	C	by 22 February 2023	by 30 June 2026
7.6	Average release times	C	by 22 February 2023	by 30 June 2026
7.7	Authorized operators	C	by 22 February 2023	by 30 June 2026
7.8	Expedited shipments	C	by 22 February 2023	by 30 June 2026
7.9	Perishable goods	C	by 22 February 2023	by 30 June 2030
8	Border Agency Cooperation	C	by 22 February 2023	by 30 June 2026
9	Movement of goods	A		by 22 February 2017
10.1	Formalities	C	by 22 February 2023	by 30 June 2026
10.2	Acceptance of copies	C	by 22 February 2023	by 30 June 2026
10.3	Use of international standards	C	by 22 February 2023	by 30 June 2026
10.4	Single window	C	by 22 February 2023	by 30 June 2033
10.5	Preshipment inspection	A		by 22 February 2017
10.6	Use of customs brokers	A		by 22 February 2017
10.7	Common border procedures	B	by 22 February 2023	by 30 June 2026

Detailed notification breakdown			Indicative implementation date	Definitive implementation date
10.8	Rejected Goods	C	by 22 February 2023	by 30 June 2033
10.9	Temporary admission of goods and inward and outward processing	B	by 22 February 2021	by 30 June 2024
11	Transit	C	by 22 February 2023	by 30 June 2026
12	Customs cooperation	Bp Cp	by 22 February 2023	from 30 June 2026 to 30 June 2028

Legend

A	Fully notified in A	Ap	Partially notified in A		
B	Fully notified in B	Bp	Partially notified in B	C»B	Shift from C to B
C	Fully notified in C	Cp	Partially notified in C	B»C	Shift from B to C
N	Not yet notified	E	Extension of time requested		

Notifications and other documents

Symbol	Date	Description
G/TFA/N/KEN/1	2019-10-22	Categories B and C notification
WT/PCTF/N/KEN/1	2015-05-13	Category A notification

1.2 Information available through internet



1.2.1 (a), (b), (c)	Indicative date of implementation	Definitive date of implementation
1.2.2	22 February 2026	30 June 2029
1.2.3		

Assistance required for implementation

Support to:

1. Review and update information relating to expediting the movement, release, and clearance of goods, including goods in transit available on the websites of Ministries /Agencies involved in the implementation of the Trade Facilitation Agreement (TFA), and to create an effective information management system;
2. Harmonize Information Technology (IT) policies of the Ministries/Agencies implementing the TFA and integrate them to the national trade portal;
3. Upgrade, secure and maintain the Information Communication Technology (ICT) infrastructure; and
4. Create awareness on the information portal and capacity building.

Tags: *Information and communication technologies (ICT), Infrastructure and equipment, Awareness-raising*

4.6	Indicative date of implementation 22 February 2023	Definitive date of implementation 30 June 2026
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Assistance required for implementation

Support to:

1. Establish a framework to network all border agencies; and
2. Build capacity for Kenya Bureau of Standards (KEBS) and KenTrade to coordinate all border agencies on matters of administrative decisions through Single Window.

Tags: *Legislative and regulatory framework, Institutional procedures*



5.1 (a), (b), (c), (d)

Indicative date of implementation

22 February 2023

Definitive date of implementation

30 June 2026

Assistance required for implementation

Support to:

1. Develop modern systems of notifying stakeholders about enhanced controls and inspections;
2. Equip and establish infrastructure to detect food hazards, including early warning systems; and
3. Train staff on import alerts/ rapid alert tests

Tags: *Information and communication technologies (ICT), Infrastructure and equipment, Human resources and training*



	Indicative date of implementation	Definitive date of implementation
5.3.1		
5.3.2	22 February 2023	30 June 2033
5.3.3		

Assistance required for implementation

Support to:

1. Establish, equip, accredit, and network, laboratories;
2. Attain mutual recognition of conformity from other Members; and
3. Review the legal framework of KEBS, Kenya Plant Health Inspectorate Services (KEPHIS), Directorate of Veterinary Services (DVS), Ministry of Health and other relevant border agencies to align with the relevant provisions of the Trade Facilitation Agreement.

Tags: *Legislative and regulatory framework, Infrastructure and equipment*

	Indicative date of implementation	Definitive date of implementation
6.1.1		
6.1.2	22 February 2030	30 June 2033
6.1.3		
6.1.4		

Assistance required for implementation

Support to:

1. Review and simplify the fees and charges levied basing them on criteria corresponding to the cost of the services rendered;
2. Develop a mechanism for periodic review of fees and charges for purposes of reducing their numbers and diversity; and
3. Draft guidelines on fees and charges to be used by the public sector and also set up a pool of experts to assist border agencies to set up their fees and charges.

Tags: *Information and communication technologies (ICT), Legislative and regulatory framework, Human resources and training*



6.2 (i), (ii)

Indicative date of implementation

22 February 2023

Definitive date of implementation

30 June 2026

Assistance required for implementation

Support to:

1. Draft guidelines on specific fees and charges to be used by the customs authority.

Tags: *Legislative and regulatory framework*

	Indicative date of implementation	Definitive date of implementation
6.3.1		
6.3.2	22 February 2023	30 June 2033
6.3.3		

6.3.4 (a), (b)

6.3.5

6.3.6

6.3.7

Assistance required for implementation

Support to:

1. Establish a mechanism of addressing an error where a person voluntarily discloses to a Kenya Customs administration the circumstances of a breach of customs law, regulations, or procedural requirements prior to the discovery of that breach by custom administration;
2. Formulate guidelines and policies which will help the officers distinguish between a mistake and fraudulent conduct before imposing penalties;
3. Develop procedure manuals for assessment of mitigations, settlement and collection of civil and administrative penalties; and
4. Align domestic law with the relevant provisions of the Trade Facilitation Agreement.

Tags: *Information and communication technologies (ICT), Legislative and regulatory framework*

	Indicative date of implementation	Definitive date of implementation
7.1.1		
7.1.2	22 February 2023	30 June 2026

Assistance required for implementation

Support to:

1. Upgrade the ICT systems and automate operations of the Customs administration and other relevant agencies;
2. Develop and implement an effective risk management system;
3. Integrate all border agencies systems to access Kenya Port Authority (KPA) Bay Plan to complement the shipping manifests;
4. Integrate Automated System for Customs Data (ASYCUDA) of Uganda, Tanzania Customs Integrated System (TANCIS) of Tanzania, and Integrated Customs Management System (ICMS) systems to facilitate trade;
5. Enhance capacity building of border agencies; and
6. Train on the Integrated Customs Management Systems and Single Window.

Tags: *Information and communication technologies (ICT), Human resources and training*

	Indicative date of implementation	Definitive date of implementation
7.4.1		
7.4.2	22 February 2023	30 June 2026
7.4.3		
7.4.4		

Assistance required for implementation

Support to:

1. Formulate a National strategy for undertaking Post-Clearance Audit by all border agencies
2. Train staff of all border agencies on post audit procedures and methods; and
3. Sensitize stakeholders on Post Clearance Audit.

Tags: *Legislative and regulatory framework, Human resources and training, Awareness-raising*



	Indicative date of implementation	Definitive date of implementation
7.5.1		
7.5.2	22 February 2023	30 June 2026
7.5.3		
7.5.4		

Assistance required for implementation

Support to:

1. Formulate a National strategy for undertaking Post-Clearance Audit by all border agencies
2. Train staff of all border agencies on post audit procedures and methods; and
3. Sensitize stakeholders on Post Clearance Audit.

Tags: *Legislative and regulatory framework, Human resources and training, Awareness-raising*



7.6.1	Indicative date of implementation	Definitive date of implementation
7.6.2	22 February 2023	30 June 2026

Assistance required for implementation

Support to:

1. Develop a National policy document on establishment and publication of average release time;
2. Establish a National inter-agencies coordination unit under State Department for Trade (SDT) to implement this measure;
3. Design a monitoring system of average release times and ensure their publication;
4. Train and assign qualified persons to carry out time release studies; and
5. Establish, under SDT, a National unit for publication and timely release studies.

Tags: *Information and communication technologies (ICT), Legislative and regulatory framework, Institutional procedures, Human resources and training*



	Indicative date of implementation	Definitive date of implementation
7.7.1		
7.7.2 (a) (i), (ii), (iii), (iv), (i), (ii)	22 February 2023	30 June 2026
7.7.3 (a), (b), (c), (d), (e), (f), (g)		

7.7.4

7.7.5

7.7.6

Assistance required for implementation

Support to:

1. Develop a National mechanism for coordination and cooperation between Customs and other border agencies;
2. Develop rules and procedures on governing National Authorised Economic Operators (AEOs).

Tags: *Legislative and regulatory framework, Institutional procedures*



	Indicative date of implementation	Definitive date of implementation
7.8.1 (a), (b), (c), (d), (e), (f), (g), (h)		
7.8.2 (a), (b), (c), (d)	22 February 2023	30 June 2026
7.8.3		

Assistance required for implementation

Support to:

1. Sensitize and create awareness among the stakeholders on TFA and expedited shipments;
2. Harmonize regulations and operations of border agencies on clearance of expedited shipment; and
3. Conduct time release studies on all agencies on the transit corridor dealing in processing and release of expedited cargo.

Tags: *Information and communication technologies (ICT), Awareness-raising*

	Indicative date of implementation	Definitive date of implementation
7.9.1 (a), (b)		
7.9.2	22 February 2023	30 June 2030
7.9.3		
7.9.4		

Assistance required for implementation

Support to:

1. Develop infrastructure to handle perishable goods at the ports of entry, such as cold rooms and animal holding facilities;
2. Harmonize the procedures and operations of all agencies involved in clearing and release of perishable goods, including harmonizing business hours at entry and exit border points;
3. Train staff on handling perishable goods.

Tags: *Legislative and regulatory framework, Infrastructure and equipment, Human resources and training*



8.1	Indicative date of implementation	Definitive date of implementation
8.2 (a), (b), (c), (d), (e)	22 February 2023	30 June 2026

Assistance required for implementation

Support to:

1. Train members of Joint Border Committees on cross-border Cooperation requirements and procedures;
2. Establish shared facilities for the remaining border posts as well as harmonising; procedures and formalities; and
3. Map out and analyse each agency's existing procedures, mandate and operations with a view to designing a new set of joint operations aligned to international standards and best practices;
4. Train officers on joint border operations and risk management; and
5. Build capacity to establish electronic information exchanges with WTO Members.

Tags: *Information and communication technologies (ICT), Diagnostic and Needs Assessment, Human resources and training*

10.1.1 (a), (b), (c), (d)

Indicative date of implementation

22 February 2023

Definitive date of implementation

30 June 2026

Assistance required for implementation

Support to:

1. Harmonize national procedures at the border points among the Kenya border agencies, with those of the East Africa Community (EAC) partner states, and other bordering countries;
2. Train stakeholders on trade documentation tool kit and business process analysis;
3. Simplify and standardize trade documents, both manual and electronic, with a view reducing them (where applicable);
4. Analyse the existing regulations, procedures and forms with a view to producing simplified trade documents;
5. undertake legislative and regulatory review on procedures and documentation requirements; and
6. Carry out stakeholders' sensitisation on the revised procedures.

Tags: *Information and communication technologies (ICT), Legislative and regulatory framework, Diagnostic and Needs Assessment, Human resources and training, Awareness-raising*



	Indicative date of implementation	Definitive date of implementation
10.2.1		
10.2.2	22 February 2023	30 June 2026
10.2.3		

Assistance required for implementation

Support to:

1. Develop a legal framework and/or administrative procedures for accepting copies.

Tags: *Legislative and regulatory framework*

10.3.1	Indicative date of implementation	Definitive date of implementation
10.3.2	22 February 2023	30 June 2026

Assistance required for implementation

Support to:

1. Create awareness among stakeholders on the various international standards applicable;
2. Evaluate the impact of standards on national and regional economy;
3. Develop National, Regional and International Standards; and
4. Participate in international meetings on development and review of standards.

Tags: *Legislative and regulatory framework, Diagnostic and Needs Assessment, Awareness-raising*

	Indicative date of implementation	Definitive date of implementation
10.4.1		
10.4.2	22 February 2023	30 June 2033
10.4.3		
10.4.4		

Assistance required for implementation

Support to:

1. Upgrade ICT infrastructure for the Single Window;
2. Develop legal framework to link all border agencies to the Single Window platform;
3. Develop and integrate ICT platforms for various border agencies; and
4. Develop a mechanism for information sharing among border agencies.

Tags: *Information and communication technologies (ICT), Infrastructure and equipment, Institutional procedures*



10.8.1	Indicative date of implementation	Definitive date of implementation
10.8.2	22 February 2023	30 June 2033

Assistance required for implementation

Support to:

1. Install modern incinerators and other disposal facilities; and
2. Review policy and/or legal framework on rejected goods to ensure conformity with the relevant TFA provisions.

Tags: *Legislative and regulatory framework, Infrastructure and equipment*








	Indicative date of implementation	Definitive date of implementation
11.1 (a), (b)		
11.2	22 February 2023	30 June 2026
11.3		
11.4		
11.5		

11.6 (a), (b) **Assistance required for implementation**

11.7	Support to:	
11.8		
11.9	1. Enhance the legal framework supporting implementation of Cargo tracking;	
11.10	2. Improve the infrastructure along the transit corridor;	
11.11	3. Simplify formalities, documentation procedures and Customs controls on cargo in transit; and	
11.12	4. Harmonize the EAC Electronic Cargo tracking system.	
11.13		
11.14	Tags: <i>Information and communication technologies (ICT), Legislative and regulatory framework, Infrastructure and equipment</i>	
11.15		
11.16 (a), (b), (c)		
11.17		

	Indicative date of implementation	Definitive date of implementation
12.1.1		
12.1.2	22 February 2023	30 June 2026
12.2.1		
12.2.2		
12.4.1 (a), (b), (c), (d), (e), (f)		
12.4.2	Assistance required for implementation	
12.5.1 (a), (b), (c), (d), (e), (f)		
12.5.2	Support to:	
12.5.3	1. Capacity build Kenya's customs administration on matters of cooperation with other customs authorities;	
12.6.1 (a), (b), (c), (d), (e)	2. Review EAC customs law to ensure compliance with provisions of this Article.	
12.6.2		
12.7.1 (a), (b), (c), (d), (e)	Tags: <i>Legislative and regulatory framework, Human resources and training</i>	
12.7.2		
12.8		
12.9.1		
12.9.2		
12.10 (a), (b), (c), (d), (e), (f), (g), (h)		
12.11.1 (a), (b), (c)		
12.11.2		
12.12.1		

Legend

	Fully notified in C		Partially notified in C		Extension of time requested
	Donor arrangement notified		Donor arrangement not yet notified		

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Updated on 24 October 2019