



# EXPLANATORY NOTES

## Legal Provisions:

The requirement for this declaration is provided for under the East African Community Customs Management Act, 2004 Sections 44-46, the Fifth Schedule Part B Paragraph 5(4) and any other relevant Acts.

## Concessions and Entitlements

Different categories of passengers enjoy special concessions and entitlements.

Persons making temporary visits to Kenya not exceeding three (3) months are allowed to bring with them the following goods on duty free basis:

1. Non-consumable goods for personal use during the visit which will be re-exported at the end of the stay.
2. Consumable goods and non-alcoholic beverages to be used during their stay in the country.

Persons making temporary visits to Kenya for conferences, exhibitions etc... are allowed to bring with them non-consumable goods which should be re-exported within 30 days or a period not exceeding 60 days from the date when the passenger leaves the country, beyond this period, duty becomes payable.

**For passengers who have attained the age of eighteen (18) years, the following goods will be allowed duty-free in the specified quantities when imported as accompanied baggage:**

- Spirits, including liquors not exceeding 1 Litre, or wine not exceeding 2 Litres.
- Perfumes and toiletries not exceeding 1 Litre in total, of which the perfume is not more than 250ml.
- Cigarettes, cigars, cheroots, cigarillos, tobacco and snuff not exceeding 250grams in total.

## Prohibited goods

1. False money and counterfeit currency notes and coins and any money not being of the established standard in weight or fineness.
2. Pornographic materials in all kinds of media, indecent or obscene printed paintings, books, cards, lithographs or other engravings, and any other indecent or obscene articles.
3. Matches in the manufacture of which white phosphorous has been employed.
4. Any article made without proper authority with the Armorial Ensigns or Court of Arms of an East African Community Partner State or having such Ensigns or Arms so closely resembling them as to be calculated to deceive.
5. Distilled beverages containing essential oils or chemical products, which are injurious to health, including thijone, star arise, benzoic aldehyde, salicylic, esters, hyssop and absinthe. Provided that nothing in this paragraph contained shall apply to "Anise and Anisette" liqueurs containing not more than 0.1 per centum of oils of anise and distillates from either pimpinella anisum or the star arise allcium verum.
6. Narcotic drugs under international control.
7. Hazardous wastes and their disposal as provided for under the Basel Conventions.
8. All soaps and cosmetic products containing mercury.
9. Used tyres for light commercial vehicles and passenger cars.
10. Agricultural and industrial chemicals of all kinds as provided for in the East African Community Customs Management Act, 2004.
11. Plastic articles of less than 30 microns for conveyance or packing of goods.
12. Worn underwear garments of any types.
13. Counterfeit goods of all kinds.
14. All goods the importation of which is for the time being **prohibited** under this Act or by any written law for the time being in force in the East African Community Partner State.

## Restricted goods

1. Postal franking machines except and in accordance with the terms of a written permit granted by a competent authority of the Partner State.
2. Traps capable of killing or capturing any game animal except and in accordance with the terms of a written permit granted by the Partner State.
3. Unwrought precious metals and precious stones.
4. Arms and ammunition specified under Chapter 93 of the Customs Nomenclature.
5. Ossein and bones treated with acid.
6. Other bones and horn - cores, unworked defatted, simply prepared (but not cut to shape) degelatinized, powder and waste of these products.
7. Ivory, elephant unworked or simply prepared but not cut to shape.
8. Teeth, hippopotamus, unworked or simply prepared but not cut to shape.
9. Horn, rhinoceros, unworked or simply prepared but not cut to shape .
10. Other ivory unworked or simply prepared but cut to shape.
11. Ivory powder and waste.
12. Tortoise shell, whalebone and whalebone hair, horns, antlers, hoovers, nail, claws and beaks, unworked or simply prepared but not cut to shape, powder and waste of these products.
13. Coral and similar materials, unworked or simply prepared but not otherwise worked shells of molasses, crustaceans or echinoderms and cattle-bone, unworked or simply prepared but not cut to shape powder and waste thereof.
14. Natural sponges of animal origin.
15. Spent (irradiated) fuel elements (cartridges) of nuclear reactors.
16. Worked ivory and articles of ivory.
17. Bone, tortoise shell, horn, antlers, coral, mother-of pearl and other animal carving material, and articles of these materials (including articles obtained by moulding).
18. Ozone Depleting Substances under the Montreal Protocol (1987) and the Vienna Convention (1985).
19. Genetically modified products.
20. Non-indigenous species of fish or egg of progeny.
21. Endangered Species of World Flora and Fauna and their products in accordance with CITES March 1973 and amendments thereof.
22. All psychotropic drugs under international control.
23. Historical artefacts.
24. Goods specified under Chapter 36 of the Customs Nomenclature (for example, percussion caps, detonators, signalling flares).
25. Parts of guns and ammunition, of base metal (Section XV of the Harmonised Commodity Description and Coding System), or similar goods of plastics under Chapter 39 of the Customs Nomenclature.
26. Telescope sights or other optical devices suitable for use with arms, telescope mounted on a firearm or presented with the firearm on which they are designed to be mounted under Chapter 90 of the Customs Nomenclature.
27. Bows, arrows, fencing foils or toys under Chapter 95 of the Customs Nomenclature.
28. Collector's pieces or antiques of guns and ammunition under heading No. 9705 or 9706 of the Customs Nomenclature.
29. All goods the importation of which is for the time being regulated under this Act or by any written law for the time being in force in the East African Community Partner State.