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KENYA



Ref. No. **MITED/CS/KEBS/VOL.VII**

**7TH JANUARY, 2021**

**Mr. Michael Sialai, EBS**  
Clerk to the National Assembly  
Parliament Buildings  
**NAIROBI**

Date: .....  
① DLPS  
D/Coms  
Please deal.  
08/01/21  
WNY  
② ML  
please deal  
08/01/21

Dear *Bwana Sialai*

**LEGAL NOTICE NO 212 – THE STANDARDS (VERIFICATION OF STANDARDS TO CONFORMITY TO STANDARDS AND OTHER APPLICABLE REGULATIONS OF IMPORTS) (AMMENDMENT) ORDER, 2020**

Reference is made to the above subject matter.

The Kenya Bureau of Standards, a State Corporation in the ministry has developed and published amendments to The Standards (verification of standards to conformity to standards and other applicable regulations of imports) Order, 2020. The amendments were published in the gazette notice on 18<sup>th</sup> December 2020.

In line with the Section 11(1) of the statutory instruments Act stating "Every Cabinet Secretary responsible for a regulation-making authority shall within seven (7) sitting days after the publication of a statutory instrument ensure that a copy of the statutory instrument is transmitted to the responsible Clerk for tabling before the relevant House of Parliament"

We hereby submit a copy of the Amendments to the Standards (VSCSI) Order, 2020 for tabling before the Committee on Delegated Legislation.

Yours *Sincerely*

*RAM*  
**NATIONAL ASSEMBLY  
RECEIVED**  
**BETTY C. MAINA, EGH**  
**CABINET SECRETARY**  
08 JAN 2021  
**DEPUTY CLERK**  
P. O. Box 41842 - 00100, NAIROBI

**NATIONAL ASSEMBLY  
RECEIVED**  
08 JAN 2021  
**CLERK'S OFFICE**  
P. O. Box 41842, NAIROBI

Encl.

**SPECIAL ISSUE**

2487

Kenya Gazette Supplement No. 233

18th December, 2020

(Legislative Supplement No. 123)

LEGAL NOTICE NO. 212

**THE STANDARDS ACT**

(Cap. 496)

IN EXERCISE of the powers conferred by section 20 of the Standards Act, the Cabinet Secretary for Industrialization, Trade and Enterprise Development in consultation with the National Standards Council, makes the following Order —

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

1. This Order may be cited as the Standards (Verification of Conformity to Standards and other Applicable Regulations) (Amendment) Order, 2020.

2. Paragraph 2 of the Standards (Verification of Conformity to Standards and other Applicable Regulations) Order, 2020, hereinafter referred to as the "principal Order", is amended by inserting the following new definition in its proper alphabetical sequence —

"approved warehouse" means a premise approved by the Bureau for storage of goods other than a designated customs area".

3. Paragraph 7 of the principal Order is amended by adding the following new sub-paragraph immediately after sub-paragraph (2) —

"(3) For avoidance of doubt, where there is a conflict between the provisions of sub-paragraphs (1) and (2), the provisions of sub-paragraph (2) shall prevail."

4. Paragraph 9 of the principal Order is amended —

(a) in sub-paragraph (2), by inserting following words immediately after the words "certificate of roadworthiness" —

"and which is kept in an approved warehouse pursuant to sub-paragraph (3)";

(b) by adding the following new paragraphs immediately after paragraph (4) —

5. A product imported by a consolidator registered pursuant to section 14C of the Act which is the subject of this Order which arrives at a port of entry without a certificate of conformity or certificate of inspection shall be subjected to destination inspection at a fee equal to zero point six (0.6%) per cent of the approved customs value of the product.

Citation	
L.N. NO 78/2020	
DAY	TUESDAY
DATE: 09 FEB 2021	
TABLED BY:	The Leader of the Majority Party
CLERK AT THE TABLE:	Perpetua Muga
THE NATIONAL ASSEMBLY PAPERS LAID	



6. Notwithstanding the provision of sub paragraph (1), a product registered by KEBS on the basis of a valid certification recognized by KEBS shall be subjected to destination inspection at the importer's expense at the rate that would be applicable if inspection had been undertaken in the exporting country by an inspection body appointed by the Bureau:

Provided that such registration is obtained before importation.

Dated the 18th December, 2020.

BETTY C. MAINA,  
*Cabinet Secretary for Industrialisation,  
Trade and Enterprise Development.*

LEGAL NOTICE NO. 213

THE EXPORT PROCESSING ZONES ACT

(Cap. 517)

DECLARATION OF EXPORT PROCESSING ZONE

IN EXERCISE of the powers conferred by section 15 (1) of the Export Processing Zones Act, the Cabinet Secretary for Industry, Trade and Enterprise Development declares the land specified in the Schedule hereto to be an Export Processing Zone.

SCHEDULE

All that piece of land known as portion X on the L.R. No. 29437/76 measuring approximately 1.03 acres situated in Bonje Area, Kwale County.

Dated the 10th December, 2020.

BETTY C. MAINA,  
*Cabinet Secretary for Industrialisation,  
Trade and Enterprise Development.*

LEGAL NOTICE NO. 214

THE CROPS ACT

(No. 16 of 2013)

IN EXERCISE of the powers conferred by section 40 of the Crops Act, 2013, the Cabinet Secretary for Agriculture, Livestock, Fisheries and Co-operatives in consultation with the Agriculture and Food Authority and the County Governments, makes the following Regulations—

THE CROPS (SUGAR) (GENERAL) (AMENDMENT)  
REGULATIONS, 2020

1. These Regulations may be cited as the Crops (Sugar)(General) (Amendment) Regulations, 2020.

Citation

2. Regulation 23 of the Crops (Sugar)(General) Regulations, 2020, in these Regulations referred to as "the principal Regulations"

L. N. No. 99 of 2020.

is amended—

- (a) in sub-regulation (2) by deleting the word “three” appearing in paragraph (f) and substituting therefor the word “two”;
- (b) by inserting the following new sub-regulations immediately after sub-regulation (2) —

(2A) In appointing persons under sub-regulation (2) (b), (c), (d), (e) and (f), the Cabinet Secretary shall take into account the gender, regional and ethnic diversity of the persons to be appointed.

(2B) A person shall not be nominated for appointment under sub-regulation (2) (b), (c), (d)(e) and (f), unless the person has demonstrable experience, knowledge and skills in sugar pricing or similar relevant qualifications.

3. Regulation 26 of the principal Regulations is amended in sub-regulation (5), by inserting the expression “and shall be liable on conviction, to a fine not exceeding five hundred thousand shillings, or to imprisonment for a period not exceeding one year, or to both” immediately after the word “offence”.

Dated the 8th December, 2020.

PETER MUNYA,  
Cabinet Secretary Ministry of Agriculture,  
Livestock, Fisheries and Co-operatives.

LEGAL NOTICE NO. 215

THE SACCO SOCIETIES ACT

(No. 14 of 2008)

IN EXERCISE of the powers conferred by section 68(1) of the Sacco Societies Act, 2008, the Cabinet Secretary for Agriculture, Livestock, Fisheries and Co-operatives in consultation with the Authority makes the following Regulations—

THE SACCO SOCIETIES (AMENDMENT) REGULATIONS, 2020

1. These Regulations may be cited as the Sacco Societies (Non-Deposit-Taking Business) (Amendment) Regulations, 2020.

Citation.

2. The Sacco Societies (Non-Deposit-Taking Business) Regulations are amended in regulation 1 by deleting paragraph (2) and substituting therefor the following new paragraph—

Interpretation.  
L.N 82/2020.

(2) These Regulations shall come into operation on the 1st January, 2021.

Made on the 10th December, 2020.

PETER G. MUNYA,  
Cabinet Secretary for Agriculture, Livestock,  
Fisheries and Co-operatives.

LEGAL NOTICE NO. 216

THE COMPETITION ACT, 2010

(No. 12 of 2010)

EXCLUSION

THE PROPOSED TRANSFER OF STOCK BROKING ACCOUNTS  
OF AFRICAN ALLIANCE KENYA INVESTMENT BANK  
LIMITED TO STERLING CAPITAL LIMITED

IN EXERCISE of the powers conferred by Section 42(1) of the Competition Act, 2010 the Competition Authority of Kenya excludes the proposed transfer of Stock Broking Accounts of African Alliance Kenya Investment Bank Limited to Sterling Capital Limited from the provisions of part IV of the Act due to the following reasons—

- (a) the merger will not affect competition negatively; and
- (b) the acquirer has assets valued at KES 648,202,037 for the preceding year, 2019 while the target had no assets and therefore, the transaction meets the thresholds for exclusion as provided in the Competition (General Rules, 2019).

Dated the 9th December, 2020.

WANG'OMBE KARIUKI,  
*Director-General.*