



EAST AFRICAN COMMUNITY GAZETTE

Published by the East African Community
(Registered as a Newspaper at the G.P.O.)

Vol. AT 1 – No. 005

ARUSHA, 2nd July, 2009

Price \$ 1.00

CONTENTS

	<i>Legal Notice</i>	<i>Page</i>
1 Approved Kenyan Manufacturers and Quantities of Sugar for Industrial use to be Imported at Duty Rate of 10% in the Fiscal Year 2009/2010	No. 7	2
1 Approved Kenya's Manufacturers and Quantities of Paper to be Imported for 12 Months	No. 8	4
1 Approved Kenyan Manufacturers and Quantities of Completely Knocked Down Motorcycles for the Fiscal Year 2009/10	No. 9	5
1 Approved Kenyan Manufacturers and Quantities of Completely Knocked Down Bicycles for the Fiscal Year 2009/10	No. 10	6
1 Corrigendum to Legal Notice No. 28/2008.	No. 11	7
1 The Protocol on the Establishment of the East African Community Customs Union	No. 12	9
1 Approved Tanzania Manufacturers and Quantities of Sugar for Industrial Use to be Imported at Duty Rate of 10% in the Fiscal Year 2009/2010	No. 13	10
1 Approved Tanzania's Manufacturers and Quantities of Completely Knocked Down Motorcycles for the Fiscal Year 2009/10	No. 14	12
1 Approved Tanzania's Manufacturers and Quantities of Paper to be Imported for 12 Months	No. 15	13
1 Approved Tanzania's Manufacturers and Quantities of Completely Knocked Down Motorcycles for the Fiscal Year 2009/10	No. 16	16
1 Amendments to the Third Schedule (Prohibited and Restricted Exports Generally)	No. 17	17
1 Amendments to the Fifth Schedule (Exemption Regime) of the EAC Customs Management Act, 2004	No. 18	18

Legal Notice No. EAC/7/2009.

THE PROTOCOL ON THE ESTABLISHMENT OF THE
EAST AFRICAN COMMUNITY CUSTOMS UNION

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Articles 12 (3) and 39(c) of the Protocol on the Establishment of the East African Community Customs Union and Section 140 Of the EAC Customs Management Act 2004, the Council of Ministers has reviewed the import duty rates on the items in the EAC Common External Tariff as specified in this Legal Notice:

REVIEW OF THE IMPORT DUTY RATES IN THE EAC COMMON EXTERNAL TARIFF

S/N	HS CODE	DESCRIPTION OF GOODS	DECISION
1.	0403.10.00 0403.90.00	Yoghurt Other	Attract import duty of 60% and include the items in the sensitive list under the Second Schedule of the EAC CET.
2.	1001.90.20 1001.90.90	Wheat	Uganda and Rwanda to stay application of duty rate in the EAC CET and apply import duty rate of 0% for one year
			Tanzania to stay application of duty rate in the EAC CET and apply import duty rate of 10% for one year
			Kenya to stay application of duty rate in the EAC CET and apply import duty rate of 25% for one year
3	1006.10.00	Rice imported from Pakistan into Kenya	Kenya to stay application of import duty rate in the EAC CET and apply import duty rate of 35% on rice imported into Kenya from Pakistan for two years.
4	1006.10.00	Rice in the husk.	Rwanda to stay application of import duty rate in the EAC CET and apply import duty rate of 30% for two years
	1006.20.00	Husked (Brown) rice	
	1006.30.00	Semi milled or wholly milled rice	
	1006.40.00	Broken rice.	
5.	5402.62.00 5402.69.00 5403.10.00 and Yarn of Headings 54.02 to 54.05	Filament yarn not put up for retail sale	Import duty 0% Kenya and Tanzania to stay application of import duty rate of 0% and apply import duty rate of 10%
6	6309.00.00	Worn clothing and other worn articles	Import duty \$0.2 per kg or 35% which ever is higher, will apply for one year.
7	6812.80.00 6812.99.00	Fabricated asbestos fibres of crocidolite Other fabricated asbestos fibres	Import duty 0%
8	7321.90.00	Parts for stoves, ranges, grates and cookers, barbecues, brvaziers, gas-rings, plate warmers and other similar non electric domestic appliances of iron or steel	Import duty 10%
9	8525.80.00	Television cameras, digital cameras and video camera recorders	Import duty rate 0%
10	8702.10.99 8702.90.99	Motor vehicles for the transport of more than 25 persons	Tanzania to stay application of the import duty rate of 25% and apply import duty rate of 10% on heavy duty buses for the "Dar Fast Bus Project" for one year.
11	8704.22.90	Motor vehicles for the transport of goods with gross vehicle weight exceeding 5 tons but not exceeding 20 tonnes	Tanzania, Rwanda and Uganda to stay application of import duty rate of 25% in the EAC CET and apply import duty rate of 10% for one year.

12	8704.23.90	Motor vehicles for the transport of goods with gross vehicle weight exceeding 20 tones.	Tanzania, Rwanda and Uganda to stay application of import duty rate of 25% in the EAC CET and apply import duty rate of 0% for one year
13	Armed Forces Canteen Organization (AFCO)	Imports of Armed Forces Canteen Organization (AFCO) in Tanzania	Tanzania to stay application of the East African Common External Tariff on imports of AFCO for one year
14	Construction materials	Construction materials for registered investors with projects of at least US\$ 1.8 million for Rwanda	Rwanda to stay application of the import duty rates in the EAC CET and apply import duty rate of 5% on construction materials imported by registered investors with projects of at least US\$ 1.8 million for a period of one year
Grant of duty remission under Section 140 of the EAC CMA			
15	Raw materials and inputs for direct use in the manufacture of paper and paperboard imported by Paper and paperboard mills		Remission of Import Duty to 0%
16	Raw material for the manufacture of sanitary towels and tampons imported by manufacturers of sanitary towels and tampons		Remission of Import Duty to 0%

This Notice is deemed to have come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Arusha, Tanzania
 2nd July, 2009

Legal Notice No. EAC/8/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

AMENDMENTS TO THE THIRD SCHEDULE (PROHIBITED AND RESTRICTED
EXPORTS GENERALLY)

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Section 71 (1) of the East African Community Customs Management Act 2004, the Council of Ministers has amended the Third Schedule of the Act as follows:—

1. Amendment of PART A – PROHIBITED GOODS:

By numbering the paragraph in PART A-PROHIBITED GOODS as (1), and adding the following paragraph:

“(2) used or scrap cables and conductors of aluminium, steel and copper.

This Notice shall be deemed to have come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Arusha, Tanzania
2nd July, 2009

Legal Notice No. EAC/9/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

AMENDMENTS TO THE FIFTH SCHEDULE (EXEMPTION REGIME) OF
THE EAC CUSTOMS MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Section 114 (3) of the East African Community Customs Management Act 2004, the Council of Ministers has amended the Fifth Schedule of the Act as follows:-

1. Paragraph 8 of Part A of the fifth Schedule is amended by numbering the paragraph as subparagraph (1), and inserting a new subparagraph as follows-“(2). In case of a motor vehicle exempted under subparagraph (1)(a), replacement of the motor vehicle shall be allowed after four years on proof of disposal of the motor vehicle originally imported in accordance with Section 119 or upon satisfaction that the motor vehicle originally imported has been written off due to accident, fire or theft.”

2. Part A is amended by inserting after paragraph 10, a new paragraph as follows—

“11. National Red Cross Societies

Goods including materials, supplies, equipment and motor vehicles for official use in the provision of relief services, imported by the National Red Cross Society of a Partner State”

3. Paragraph 22 of Part B is amended by inserting item (c) as follows—

“(c) heat insulated milk tanks for dairy industry”

4. Part B is amended by inserting immediately after paragraph 29 the following paragraphs—

“30. Machinery, Spares and Inputs for Direct use in Oil, Gas and Geothermal Exploration

Equipment and inputs, but not including motor vehicles, imported by a licensed company for direct and exclusive use in oil, gas or geothermal exploration and development upon recommendation by a competent authority of a Partner State.

31. Industrial Spare Parts

Industrial spare parts imported as replacement parts used exclusively on industrial machinery classified in Chapters 84 and 85 of the EAC CET imported by registered manufacturers and are not for resale or any other commercial purpose other than for replacement of worn out and obsolete parts of industrial machines subject to such conditions as the Commissioner may impose.

32. Motor Vehicles for Transportation of Tourists:

Specially designed and built motor vehicles for transportation of tourists imported by licensed tour operators upon recommendation by a competent authority responsible for tourism promotion in a Partner State provided the vehicles meet the following conditions—

- (a) they are four wheel drive with open roof facility for game viewing and have a seating capacity not exceeding 12 passengers;
 - b) they have provisions for camping, rescue and first aid equipment, baggage compartment and communication fittings;
 - c) they are of a colour that blends with the environment where they operate and have a clear and conspicuous label or marking of “Tourist vehicle”;
 - d) any other conditions the Commissioner may impose
- provided that duties shall be payable upon disposal for other use or change of use”

This Notice shall be deemed to have come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Legal Notice No. EAC/10/2009.

THE PROTOCOL ON THE ESTABLISHMENT OF THE EAST AFRICAN
COMMUNITY CUSTOMS UNION

LEGAL NOTICE

In accordance with Article 10 of the Protocol establishing the East African Customs Union:

- (a) goods originating and traded between the Republics of Burundi, Rwanda, Uganda and the United Republic of Tanzania are eligible to duty free treatment; and
- (b) goods originating and traded between the Republics of Burundi, Rwanda and Kenya are eligible to duty free treatment.

This Notice shall be deemed to have come into force on the 1st day of July, 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Arusha, Tanzania
2nd July, 2009

Legal Notice No. EAC/11/2009.

CORRIGENDUM TO LEGAL NOTICE NO. EAC/28/2008

THE PROTOCOL ON THE ESTABLISHMENT OF THE EAST AFRICAN
COMMUNITY CUSTOMS UNION

Correction is hereby made on Legal Notice No EAC/28/2009 dated 30th September 2008 in respect of the description of goods on item 5 by substituting the words “synthetic yarn” appearing in 3rd and 4th column with the words “Twine -Of other synthetic fibres”

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Arusha, Tanzania
2nd July, 2009

Legal Notice No. EAC/7/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Article 39(c) of the Protocol on the Establishment of the East African Community Customs Union and Section 140 of the East African Community Customs Management Act, 2004, the Council of Ministers has approved the following manufacturers to import the specified quantities of sugar for industrial use at a duty rate of 10% for 12 months under duty remission scheme:

APPROVED KENYAN MANUFACTURERS AND QUANTITIES OF SUGAR FOR INDUSTRIAL USE TO BE IMPORTED AT DUTY RATE OF 10% IN THE FISCAL YEAR 2009/2010

No.	Gazetted User/Firm	Tariff No.	Description	Additional allocation in Metric Tonnes for one year	Description of the finished product
1.	Candy Kenya Limited	1701.99.10	Sugar for Industrial Use	7,000	Confectionary
2.	Nairobi Bottlers Limited	1701.99.10	Sugar for Industrial Use	20,000	Carbonated drinks
3.	Excel Chemical Limited	1701.99.10	Sugar for Industrial Use	7,000	Quencher cordials, ready to drink and Juices
4.	Pearl Industries Limited	1701.99.10	Sugar for Industrial Use	1,800	Juices
5.	Premier Cookies Limited	1701.99.10	Sugar for Industrial Use	650	Biscuits
6.	Regal Pharmaceuticals Limited	1701.99.10	Sugar for Industrial Use	300	Various medicament
7.	Palco Industries Limited	1701.99.10	Sugar for Industrial Use	6,000	Confectionery
8.	Mzuri Sweets Limited	1701.99.10	Sugar for Industrial Use	9,000	Confectionery
9.	Premier Food Industries Limited	1701.99.10	Sugar for Industrial Use	2,000	Sauce, squash syrups, jam, canned juices, canned products
10.	Trufoods Limited	1701.99.10	Sugar for Industrial Use	2,500	Jams and Juices
11.	Glaxosmithkline Limited	1701.99.10	Sugar for Industrial Use	1,000	Various medicament, health drinks
12.	Kisii Bottlers Limited	1701.99.10	Sugar for Industrial Use	3,841	Carbonated drinks
13.	Rift Valley Bottlers Limited	1701.99.10	Sugar for Industrial Use	4,000	Carbonated drinks
14.	Mount Kenya Bottlers Limited	1701.99.10	Sugar for Industrial Use	3,500	Carbonated drinks
15.	Coastal Bottlers Limited	1701.99.10	Sugar for Industrial Use	5,000	Carbonated drinks
16.	Equator Bottlers Limited	1701.99.10	Sugar for Industrial Use	5,000	Carbonated drinks
17.	Kenafric Industries Limited	1701.99.10	Sugar for Industrial Use	8,650	Bubble gums, hard boiled candy toffees, icing sugar
18.	Kenya Sweets Limited	1701.99.10	Sugar for Industrial Use	4,500	Confectionery
19.	Kenya Breweries Limited	1701.99.10	Sugar for Industrial Use	20,000	Beer & Non alcoholic drinks
20.	The Wigley Company Limited	1701.99.10	Sugar for Industrial Use	5,000	Chewing Gums
21.	Beverage Services Kenya Limited	1701.99.10	Sugar for Industrial Use	1,500	Carbonated drinks
22.	Milly Fruit Processors Limited	1701.99.10	Sugar for Industrial Use	2,000	Juices

23.	Mini Bakeries (NBI) Limited	1701.99.10	Sugar for Industrial Use	2,700	Cakes & Breads
24.	Mini Bakeries (MOMBASA) Limited	1701.99.10	Sugar for Industrial Use	900	Cakes & Breads
25.	Gonas Best Limited	1701.99.10	Sugar for Industrial Use	300	Juices
26.	Cosmos Limited	1701.99.10	Sugar for Industrial Use	180	Various medicament
27.	Nesfood Industries Limited	1701.99.10	Sugar for Industrial Use	1,000	Juices
28.	Razco Limited	1701.99.10	Sugar for Industrial Use	600	Juices

This Notice shall come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

egal Notice No. EAC/8/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Article 39(c) of the Protocol on the Establishment of the East African Community Customs Union and Section 140 of the East African Community Customs Management Act, 2004, the Council of Ministers has approved the following Manufacturers to import the specified quantities of paper for manufacture of exercise books, text books, examination papers and covers at a duty rate of 0% for 12 months under the Duty Remission Scheme:

APPROVED KENYA'S MANUFACTURERS AND QUANTITIES OF PAPER TO BE IMPORTED FOR 12 MONTHS

<i>No.</i>	<i>Gazetted user/firm</i>	<i>Tariff No.</i>	<i>Description</i>	<i>Approved Quantity per Metric Tonnes for one year</i>	<i>Description of the finished product</i>
1.	English Press Limited	4802.55.00	Bond Paper	5,000	Text books
		4802.56.00	Bond Paper	50	Text books
		4802.57.00	Bond Paper	50	Text books
		4802.61.00	Bond Paper	50	Text books
		4802.69.00	Bond Paper	50	Text books
		4805.91.00	Bond Paper	50	Text books
		4810.13.00	Coated Paper and Paper board	900	Text books
		4810.14.00	Coated Paper and Paper board	50	Text books
		4810.19.00	Coated Paper and Paper board	50	Text books
		4810.29.00	Coated Paper and Paper board	50	Text books
		4810.99.00	Other Paper/Board	50	Text books
		4810.92.00	Multi-ply	100	Text books
2.	Twiga Stationers & Printers Ltd	4801.00.90	Newsprint	10,000	Exercise books
		4802.55.00	Woodfree Paper	8,700	Exercise books
		4804.19.90	Cover paper	1,800	Exercise books
		4802.58.00	Manilla paper	400	Exercise books
		4807.00.00	Whiteline Chipboard	500	Exercise books
		4810.11.00	Art paper	300	Exercise books
3.	Kartasi Industries Limited	4801.00.00	Newsprint	1,500	Exercise books
		4810.19.00	Cover board	400	Exercise books
		4802.55.00	Woodfree paper	1,500	Exercise books
4.	Kitabu Industries Limited	4801.00.00	Newsprint	500	Exercise books
		4802.52.00	Woodfree Paper	200	Exercise books
		4804.19.90	Cover Paper	500	Exercise books
		4810.11.00	Manilla paper	500	Exercise books

This Notice shall come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers.

Legal Notice No. EAC/9/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Article 39(c) of the Protocol on the Establishment of the East African Community Customs Union and Section 140 of the East African Community Customs Management Act 2004, the Council of Ministers has approved the following Manufacturers to import the specified quantities of completely knocked down (CKD) Motorcycles at a duty rate of 10% for 12 months under the Duty Remission Scheme:

APPROVED KENYAN MANUFACTURERS AND QUANTITIES OF COMPLETELY KNOCKED DOWN MOTORCYCLES FOR THE FISCAL YEAR 2009/10

<i>No.</i>	<i>Name of the Company</i>	<i>Tariff No.</i>	<i>Description of the Item</i>	<i>Quantity allocated</i>	<i>Finished product</i>
1.	Focin Motorcycles Limited	8711.20.00	Unassembled Kits for Motor Cycles	20,000 units	Motor Cycles
2.	Pentagon Agencies Limited	8711.20.00	Unassembled Kits for Motor Cycles	2,500 units	Motor Cycles

This Notice shall come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

Legal Notice No. EAC/10/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Article 39(c) of the Protocol on the Establishment of the East African Community Customs Union and Section 140 of the East African Community Customs Management Act 2004, the Council of Ministers has approved the following Manufacturers to import the specified quantities of completely knocked down (CKD) bicycles at a duty rate of 0% for 12 months under the Duty Remission Scheme:

APPROVED KENYAN MANUFACTURERS AND QUANTITIES OF COMPLETELY KNOCKED DOWN BICYCLES FOR THE FISCAL YEAR 2009/10

<i>No.</i>	<i>Name of the Company</i>	<i>Tariff No.</i>	<i>Description of the Item</i>	<i>Quantity allocated</i>	<i>Finished product</i>
1.	Shinyanga Emporium (1978) Limited	8711.20.00	Knockdown bicycles	30,000 units	Bicycles

This Notice shall come into force on the 1st day of July 2009.

HON. MONIQUE MUKARULIZA
Chairperson
Council of Ministers

