



# **THE KENYA GAZETTE**

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## **THE CUSTOMS AND EXCISE ACT**

(Cap. 472)

### **CONDITIONS FOR CONSOLIDATION OF CARGO IN TRANSIT SHEDS**

IN EXERCISE of the powers conferred by Section 9 (2) of the Customs and Excise Act, the Commissioner of Customs and Excise prescribes the conditions set out in the Schedule as the minimum requirements for the consolidation of cargo in a transit shed:

#### **SCHEDULE**

1. Any operator wishing to undertake consolidation of unentered cargo shall seek prior written permission from the Commissioner.
2. An application shall be accompanied by physical plans of the premises setting out the separate and distinct areas where the consolidation shall be carried out within the transit shed;
3. In the case of export cargo—
  - (a) goods destined for export shall be brought to the transit shed for consolidation and containerization;
  - (b) the cargo shall be containerized under customs supervision and the container shall have a customs seal affixed thereon;
  - (c) in the case of sea freight, the container and seal numbers shall be endorsed on the customs entries;
  - (d) the cargo shall be exported through the authorized exit point or the port;
  - (e) the goods shall be manifested separately.
4. In the case of transit outwards—
  - (a) goods for transit outwards may be consolidated in one container at an authorized place within the transit shed;
  - (b) on arrival at the authorized place, all transit goods shall be tallied and reported to the proper officer;
  - (c) goods destined to different consignees at a foreign port of destination may be consolidated in one container provided that each consignment is entered separately;

- (d) no container shall bear a seal affixed by the customs unless the proper officer is satisfied that the goods declared to be stacked in the container are actually stacked therein;
  - (e) no goods shall be deemed to have been exported by virtue of their having been deposited for consolidation in a transit shed;
  - (f) the goods shall be manifested separately;
  - (g) no goods shall be entered for transit outwards unless previously manifested as such.
5. In the case of transit inwards—
    - (a) goods for inland transit may be consolidated in one or more containers, in an authorized place within the transit shed;
    - (b) on arrival from a foreign port, the goods shall be tallied and recorded in an inward rotation register;
    - (c) the landing contractor shall hand a copy of the port release documents to the proper officer;
    - (d) the details of the rotation register and the port release document shall tally with the details of the house manifest;
    - (e) goods destined to different consignees in the foreign country of destination may be grouped and stacked in one container provided that each consignment is entered separately;
    - (f) no goods shall be entered for transit inwards unless previously manifested as such; and
    - (g) goods for transit shall be containerized and conveyed in vehicles licensed for that purpose and fitted with an approved electronic tracking device.
  6. An operator of a transit shed who has been authorized to carry out consolidation of cargo in an authorized area shall submit a monthly return showing the goods received in and delivered from the transit shed.

Made on the 10th June 2004.

F. M. THURANIRA,  
*Commissioner of Customs & Excise.*