



The KenTrade Newsletter



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Your Top Performer

**Public Service Commission
ranks KenTrade the best
performing among PGAs**

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Single Window System &
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Your Top Performer

Public Service Commission ranks KenTrade the 4th best performing public funded institution in Kenya & top on list of its Partner Government Agencies

KenTrade is among the top five best performing public funded institutions in Kenya according to the latest annual ranking by the Public Service Commission (PSC).

The PSCs has in the Financial Year 2022/2023 report ranked KenTrade in position 4 out of 523 organizations with a mean score of 78.7 % with all the first three not in the same industry as KenTrade.

The ranking was based on compliance with the values and principles outlined in Articles 10 and 232 of the Constitution. This recognition not only highlights KenTrade's commitment to upholding constitutional values but also underscores its dedication to excellence in public service. The recent PSC report's acknowledgement of KenTrade's performance is a testament to the agency's unwavering adherence



**Ranking
underscore
dedicationnt
o excellence
in public
service**

to the principles highlighted in the constitution of Kenya.

Article 10 of the Constitution lays down the national values and principles of governance, emphasizing integrity, transparency, accountability, and public participation. Article 232, on the other hand, focuses on the values and principles of public service, highlighting professionalism, impartiality, efficiency, and responsiveness.

KenTrade's success in aligning with these constitutional values can be attributed to its comprehensive governance and service delivery approach. Integrity is at the core of the agency's operations, ensuring that all processes and transactions are conducted with the highest ethical standards.



Chairman Basil Criticos with some of the KenTrade staff at the head office in Nairobi. Photo/file 2023



The US report on Trade Barriers in Kenya

Samwel Rambaya

The annual report is traditionally a deep dive into what the United States of America perceives as emerging or existing obstacles to realization of its business interests abroad.

The assessment that is global, can be brutal as it is also candid and objective mostly bias on America's strategic self-interests which is understandable in global relations and also given that the trade economies in review including Kenya are those that enjoys warm, friendly, and diplomatic relations with US.

The latest report titled *Barriers to Foreign Trade is 294 pages and officially labelled 2024 National Trade Estimate Report on Foreign Trade Barriers* is from the desk of the Office of the United States Trade Representative (USTR) . USTR is under the Executive Office of the President of the United States.

The focus on Kenya starts on page 233 and is notably one of the longest country assessments(6 pages) Why US is dedicating 6 pages for Kenya in the global report could be interpreted variously... from Kenya's rise as a regional focal point for trade to the range of inhouse keeping issues that Washington wants Nairobi to prioritize on. The report suggest that KenTrade's intervention to the costly trade logistics challenges through the Electronic Single Window System has not made any significant impact and also has doubts on the One Stop Border Post(OSBP) or One Stop Customs Clearance as it calls it strongly suggesting that they are adversarial to interest of US importers.

This assessment sharply contrast with the ringing endorsement the US Government issued in 2014 when KenTrade launched the Single Window System (we published a special weekly newsletter on same).Washington then welcomed the automation and digitization of trade transaction processes via the Electronic Single Window System as a game changer to costly delays in customs clearance and a fix bureaucratic red tape and duplications of roles.

But 10 years later it casts a negative outlook: "U.S. companies have raised concerns about the length of time required for Kenyan Customs to release shipments, as well as the use of a complex and inefficient process that involves many steps with uncoordinated offices, despite implementation of a Single Window System," US Government says in the report.

On OSBPs, the US government says the One Stop Customs Clearance "doesn't operate as intended."

the report negatively profiles our Partner Government Agencies mostly out of concerns about regulatory control, lack of access to relevant information and tedious clearance processes it deems as barrier to American importers.

Of interest is the automation and digitization of border security and the US government's assessment of the Kenya's 2019 Data Protection Act which it labels as a barrier to digital trade over what it perceives to be unclear provisions governing the cross-border transfer of personal information.

Also in sharp focus is the pre-arrival processing of electronic documents which it dismisses as ineffective therefore hurting US interests.

Verification of Conformity to Standards Procedures is flagged out as technical barrier to trade with the report extensively criticizing the Pre-export Verification of Conformity(PVoC) program effected in 2019.

In all the concerns raised in the assessment report generally speaks to the deep interest and friendly relations that the US has in Kenya which it recently reviewed series of bilateral framework agreements and should positively be viewed as a routine critique and most importantly an internal document that aligns to strategic self interest for which any sovereign nation including Kenya reserves to pander to.

KenTrade hosts Institute of International Trade Fellows

"Class of 2023"

KenTrade in collaboration with the Institute for International Trade, The University of Adelaide, Australia and TradeSmart Consult Limited hosted participants of the Australian Awards Short Course in Trade Facilitation. The annual program held in African cities on rotational basis is in the context of the African Continental Free Trade Area (AfCFTA) with Kenya as the 2024 host country. **See details below**



Editors Note: Group photo is posted on the cover page of this newsletter

The participants drawn from 11 African countries are currently in Kenya for a three-week training program at a Nairobi Hotel. The training is being delivered by the University of Adelaide, Australia, and is sponsored by the Australian Government, with support from the State Department of Trade.

The purpose of their visit was to gain insights into trade facilitation in Kenya, including the Single Window, Information for Trade Portal, and other initiatives that KenTrade is involved in.



**Acting
Director
Trade
Facilitation
Ms Fridah
Kaberiah led
KenTrade in
hosting the
ITT Class of
2024**

Prof. Peter Draper from the University of Adelaide's School of Economics and Public Policy Institute for International Trade and Dr. Nathan Gray from Institute for International Trade and international trade expert and CEO of SmartTrade Consult Limited, Rose Ronoh, accompanied the program participants.

KenTrade's Acting Director of Trade Facilitation Ms Fridah Kaberia who also the heads of Strategy, Compliance and Business Development directorate, led the KenTrade delegation. The delegation was also addressed by KenTrade CEO, Mr. David Ngarama.

We respond to your frequently asked questions on KenTrade Regulations

1. Why is KenTrade charging?

KenTrade rolled out the National Electronic Single Window System (NESWS) in 2013. NESWS has been providing services at no cost and therefore the reliance on the Exchequer for support in maintaining the system. To ensure sustainability and continuous improvement, it has become necessary for KenTrade to levy a nominal charge for services rendered to ensure sustainability of the system and efficient service delivery.

2. Which services will traders pay for and what are the specific charges and when is the effective date?

The services, charges and effective dates are shown in the table below

No.	DESCRIPTION OF SERVICE	(AMOUNT)	EFFECTIVE DATE
1	Application for notification for impending arrival or departure of a consignment	Eighty US Dollars, per notification or its equivalent in Kenya Shillings.	20th May, 2024 Existing Users – TBA*
2	Annual access fee	Fifty US Dollars per user or its equivalent in Kenya Shillings	TBA
3	Application for lifting of a suspension	Ten US Dollars per request per user or its equivalent in Kenya Shillings	20th May, 2024
4	Request for change of particulars	Five US Dollars per User or its equivalent in Kenya Shillings	20th May, 2024
5	Application for Unique Consignment Reference (UCR) number in the System	Ten US Dollars per request per user or its equivalent in Kenya Shillings	20th May, 2024
6	Application for notification for impending arrival or departure of a consignment	Eighty US Dollars per request per user or its equivalent in Kenya Shillings	20th May, 2024
7	Application for an import and export exemption	Ten US Dollars per request per user or its equivalent in Kenya Shillings	20th May, 2024
8	Application for a domestic trade permit or license	Five US Dollars per request per user or its equivalent in Kenya Shillings	TBA

TBA: To Be Advised

THE FAQs Contd...

We respond to your frequently asked questions on KenTrade Regulations

3. How will payment be made for registration to access the system?

Registration will be done once and will be renewable annually. This registration is for all system users to allow access to the Trade Facilitation Platform (TFP) Services. Applications will be done through the user registration web link on the KenTrade's website (www.kentrade.go.ke). Details will be validated, and applicants advised to make payments for registration. Once payments are confirmed, Users will be trained, the account will be created, and passwords sent to respective applicant's email addresses.

4. How will payments for the Impending Arrival Report (IAR) be made?

The Shipping Agent will create and submit an IAR. Upon successful submission, the system will generate a pop-up message of successful submission and make payment. The applicant can then proceed to the payment menu on the pending payment section and selects the payment mode i.e., e-Citizen and proceed to pay the applicable fees.

5. How will payments for Exemptions be made?

The applicant (Importer/Exporter, Development Agency) will create and submit an exemption. Upon successful submission, the system will generate a pop-up message of successful submission and make payment. The applicant can then proceed to the payment menu on the pending payment section and select the payment mode i.e., e-Citizen and proceed to pay the applicable fees.

6. How will payments for UCR be made?

The UCR is automatically generated from the base document/IDF, and the status will be set to 'Pending Payment'. When an applicant wishes to apply for a permit, they are required to make a payment for the UCR before the permit can be created. The applicant can then proceed to the payment menu on the pending payment section and select the payment mode i.e., e-Citizen and proceed to pay the applicable fees.

7. Is the annual access fee charged per individual or per company?

The Annual Access fee is per Company.

8. Will Child UCRs be paid for?

All UCRs generated including the child UCR will be paid for. The charges are not tied to any Partner Government Agencies (PGA) permits.

9. What happens to a declarant who had been trained but moves to a new company? Will they be required to undergo a fresh training?

Declarants who move to a new company will be required to pay for registration when they are created in the new company. Training may not be necessary depending on when they were last trained.

THE FAQs Contd...**We respond to your frequently asked questions on KenTrade Regulations****9. What happens to a declarant who has been trained but moves to a new company? Will they be required to undergo a fresh training?**

Declarants who move to a new company will be required to pay for registration when they are created in the new company. Training may not be necessary depending on when they were last trained.

10. What happens to Bulk IDF which has many UCRs?

Declarants in this case will pay for each individual UCR.

11. A UCR can have many permits attached to it. How will this be handled?

The declarant will pay for the UCR, and the rest of the process remains as is.

12. Will UCRs for export entries which do not require permits attract a fee?

All UCRs created in the Trade Facilitation Platform will attract a fee of 10 United States Dollars per request or its equivalent in Kenya Shillings.

13. Will UCRs for exempted permits be charged?

All UCRs created in the Trade Facilitation Platform (TFP) will attract a fee of 10 United States Dollars (USD).

14. Will un-utilized UCRs be charged for?

For a UCR to be used, it must be paid for.

15. Can UCR funds be refunded?

UCR fees collected are non-refundable.

16. Will IDFs require payments of UCR before approval?

Yes, in cases where a user applies for pre-clearance permits. For clearance permits such as KEBs the IDF, these will be auto approved as is the case today to allow a user to lodge a declaration. When declaration is transmitted to Trade Facilitation Platform, a user will have to pay for the UCR to be able to lodge permits.

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FOR OUR ANSWERS**



#KenTradeCares

Why border security is the future of trade



KenTrade participated in the inaugural National Border Management Conference in Nairobi from April 2nd to 4th April, 2024.

The conference brought together delegates from East Africa Community and IGAD including development partners, academia, UN Agencies, Civil Society Organizations Border Management Secretariat, and Border Management Committees which KenTrade is a substantive member.

The conference, the first in annual series, was convened by Border Control and Operations Coordination Committee under the State Department for Internal Security and National administration, Ministry of Interior, in collaboration with the International Organization for Migration (IOM) Kenya.

The aim was to assess the current Border Management approach in Kenya as well as benchmark against international best practices and explore opportunities in regional cooperation with focus on enhancing coordination and building towards integration in order to address transnational threats and promote human security within border regions.



A
comprehensive
National Border
Security is key
to future trade
facilitation

CEO Ngarama headlined the panel discussion on improving Border management to facilitate legitimate Trade where emphasis was on public-private partnerships, streamlined trade processes, compliance with regulations, and infrastructure development to promote legitimate trade. There were concerns about corruption at the borders and the need to enhance transparency and accountability.

Consequently, the session proposed various recommendations including sensitization of the public on processes, adherence to Service Level Agreements, by different agencies and the need for oversight and accountability by having one central command.

Key resolutions included push for a Comprehensive National Border Management Policy, Strengthen the existing legal and regulatory frameworks that govern border management in Kenya and enhance transparency and accountability in border management.



GET IN TOUCH

We would Love To Hear From You



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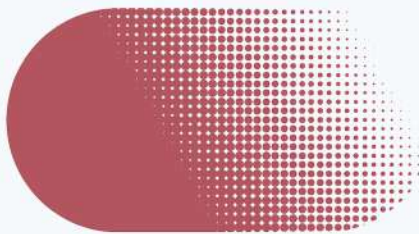
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