



Kenya Bureau of  
Standards

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## **EVALUATION CRITERIA FOR THE WAIVERS EVALUATION TECHNICAL COMMITTEE (WETC)**

### **POSSIBLE CIRCUMSTANCES AND REQUIREMENTS FOR CONSIDERATION OF WAIVER OF PRODUCTS FROM THE REQUIREMENTS OF THE PVOC PROGRAM, LEGAL NOTICE 78 (2020)**

**SIXTH REVISION**

**DATE: 20<sup>TH</sup> MAY 2022**

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Category	Guidelines for Circumstances	Justifications	Documents Required
1	Items, equipment and customized vehicles for disabled people.	<ul style="list-style-type: none"> <li>For vehicles, the vehicle is already customized for disabled persons' use.</li> <li>Affirmative action for disabled persons in the spirit of Persons with Disabilities Act.</li> </ul>	<ul style="list-style-type: none"> <li>i. Letter of application/application form.</li> <li>ii. Proof of disability of the applicant (Evidence of registration by National Council for Persons with Disabilities).</li> <li>iii. Independent report/ clear full color photographs detailing vehicle identification and customization of the vehicle .to accommodate the disability.</li> <li>iv. Import documents.</li> <li>v. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
2	Vehicles, equipment, materials and spare parts imported for Government projects and other goods imported for national interest.	<ul style="list-style-type: none"> <li>Good imported for use in specific projects.</li> <li>Majority are temporary importation to facilitate project mobilization by moving equipment from similar projects elsewhere.</li> <li>Goods are for National interest.</li> </ul>	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Contract documents by GOK/Support by relevant ministry.</li> <li>iii. Letter of exemption from duty/taxes from National Treasury.</li> <li>iv. Schedule of vehicles to be imported.</li> <li>v. Proof of security bond for re-shipment after projects where applicable.</li> <li>vi. Proof of ownership where applicable.</li> <li>vii. Master list compliant with 40% local content government policy.</li> <li>viii. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
3	Special purpose vehicles (mobile laboratories, fire engines, ambulances, jet fuel bowsers, etc.).	Vehicles customized to a specific application.	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Independent report detailing customization from the country of supply / clear full color photographs detailing vehicle identification and customization.</li> <li>iii. Record of serviceability.</li> <li>iv. The Vehicles should not be more than 20 years of age from the year of manufacture.</li> <li>v. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>



WETC Criteria, Fifth Revision, Date: 15<sup>th</sup> July 2021

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4	Vehicles for motor sports e.g. Safari rally, motor cross.	<ul style="list-style-type: none"> <li>▪ The motor sports industry is self-regulated.</li> <li>▪ Vehicles participate in global motor sports and are usually imported on temporary basis.</li> <li>▪ Vehicles not used on the road on regular basis.</li> </ul>	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Endorsement by the Kenya Motor Sports Association.</li> <li>iii. Valid license as rally driver.</li> <li>iv. Full color photographs detailing vehicle customization as a motor sports vehicle.</li> <li>v. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
5	Vehicles imported for UN missions in the region	Need to facilitate UN activities in the region	<ul style="list-style-type: none"> <li>i. Letter from UN detailing the nature of the mission and time frame.</li> <li>ii. Proof of ownership by UN.</li> <li>iii. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
6	Vehicles being re-imported into Kenya.	<ul style="list-style-type: none"> <li>▪ Vehicles pre-owned by importer.</li> <li>▪ Vehicle previously registered in Kenya before exportation from Kenya.</li> </ul>	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Proof of validity of the original Kenyan registration.</li> <li>iii. Copy of Passport.</li> <li>iv. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
7	Changing of status from diplomatic, Government to private use.	These vehicles already in use in Kenya.	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Copies of sale documents from the Government of Kenya /Mission.</li> <li>iii. Consent letter from Kenya Revenue Authority.</li> <li>iv. Vehicle must be right hand drive.</li> </ul>
8	Vehicles for expatriates.	<ul style="list-style-type: none"> <li>▪ Changing residence.</li> <li>▪ The vehicles were already owned by the applicant before importation.</li> <li>▪ To be re-exported at the end of tenure.</li> </ul>	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Proof of ownership for at least one year.</li> <li>iii. Work Permit.</li> <li>iv. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>



Category	Guidelines for Circumstances	Justifications	Documents Required
9	Vehicles being imported by returning residents	The vehicles are owned by Kenyan Citizens	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Proof of legal residency (minimum of 2 years).</li> <li>iii. Proof of ownership of the vehicle (minimum of 365 days).</li> <li>iv. Tabulation of movements using applicant's passport.</li> <li>v. Sworn affidavit on the truth of the information provided.</li> <li>vi. Vehicle must be right hand drive.</li> <li>vii. Test report showing compliance with emission standards as outlined in KS 1515:2019</li> </ul>
10	Donations under national interest	Goods are for National interest	<ul style="list-style-type: none"> <li>i. Letter of application /application form.</li> <li>ii. Registration status of the importer.</li> <li>iii. Donation certificate from the donor</li> <li>iv. Support by relevant Government ministry.</li> </ul>
11	Police Auctioned Vehicles	The vehicles are in Kenya in the custody of Kenya police and are not claimed.	<ul style="list-style-type: none"> <li>i. Application letter by the applicant.</li> <li>ii. Multi-Agency Pre-Auction Report.</li> <li>iii. Gazette Notice by the National Police Service listing the vehicles for auction specifying units for use on roads and those for scrapping in line with multi-agency pre-auction report.</li> <li>iv. Court order authorizing the auction.</li> <li>v. License of the Auctioneer who conducted the auction.</li> <li>vi. Tape lift from DCI</li> <li>vii. Interpol clearance</li> </ul>



*WETC Criteria, Fifth Revision, Date: 15<sup>th</sup> July 2021*

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#### **LIST OF TECHNICAL COMMITTEE MEMBERS**

<b>No.</b>	<b>Name</b>	<b>Organization</b>	<b>Signature</b>	<b>Date Signed</b>
1.	Geoffrey Muriira	Kenya Bureau of Standards (KEBS)	_____	_____
2.	Erick Ochieng	Kenya Bureau of Standards (KEBS)	_____	_____
3.	James Kimani	Kenya Revenue Authority (KRA)	_____	_____
4.	Charles Munyori	Kenya Private Sector Alliance (KEPSA)	_____	_____
5.	Kangangi Wanjohi	Kenya Private Sector Alliance (KEPSA)	_____	_____
6.	Leinad Mwendwa	Kenya Bureau of Standards (KEBS)	_____	_____