Kenya Bureau of Standards

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: 20TH MAY 2022

Category	Guidelines for Circumstances	Justifications	Documents Required
1	Items, equipment and customized vehicles for disabled people.	▪ For vehicles, the vehicle is already customized for disabled persons' use. ▪ Affirmative action for disabled persons in the spirit of Persons with Disabilities Act.	i. Letter of application/application form. ii. Proof of disability of the applicant (Evidence of registration by National Council for Persons with Disabilities). iii. Independent report/ clear full color photographs detailing vehicle identification and customization of the· vehicle .to accommodate the disability. iv. Import documents. v. Test report showing compliance with emission standards as outlined in KS 1515:2019
2	Vehicles, equipment, materials and spare parts imported for Government projects and other goods imported for national interest.	▪ Good imported for use in specific projects. ▪ Majority are temporary importation to facilitate project mobilization by moving equipment from similar projects elsewhere. ▪ Goods are for National interest.	i. Letter of application /application form. ii. Contract documents by GOK/Support by relevant ministry. iii. Letter of exemption from duty/taxes from National Treasury. iv. Schedule of vehicles to be imported. v. Proof of security bond for re-shipment after projects where applicable. vi. Proof of ownership where· applicable. vii. Master list compliant with 40% local content government policy. viii. Test report showing compliance with emission standards as outlined in KS 1515:2019
3	Special purpose vehicles (mobile laboratories, fire engines, ambulances, jet fuel bowsers, etc.).	Vehicles customized to a specific application.	i. Letter of application /application form. ii. Independent report detailing customization from the country of supply / clear full color photographs detailing vehicle identification and customization. iii. Record of serviceability. iv. The Vehicles should not be more than 20 years of age from the year of manufacture. v. Test report showing compliance with emission standards as outlined in KS 1515:2019

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4	Vehicles for motor sports e.g. Safari rally, motor cross.	▪ The motor sports industry is self- regulated. ▪ Vehicles participate in global motor sports and are usually imported on temporary basis. ▪ Vehicles not used on the road on regular basis.	i. Letter of application /application form. ii. Endorsement by the Kenya Motor Sports Association. iii. Valid license as rally driver. iv. Full color photographs detailing vehicle customization as a motor sports vehicle. v. Test report showing compliance with emission standards as outlined in KS 1515:2019
5	Vehicles imported for UN missions in the region	Need to facilitate UN activities in the region	i. Letter from UN detailing the nature of the mission and time frame. ii. Proof of ownership by UN. iii. Test report showing compliance with emission standards as outlined in KS 1515:2019
6	Vehicles being re-imported into Kenya.	▪ Vehicles pre-owned by importer. ▪ Vehicle previously registered in Kenya before exportation from Kenya.	i. Letter of application /application form. ii. Proof of validity of the original Kenyan registration. iii. Copy of Passport. iv. Test report showing compliance with emission standards as outlined in KS 1515:2019
7	Changing of status from diplomatic, Government to private use.	These vehicles already in use in Kenya.	i. Letter of application /application form. ii. Copies of sale documents from the Government of Kenya /Mission. iii. Consent letter from Kenya Revenue Authority. iv. Vehicle must be right hand drive.
8	Vehicles for expatriates.	▪ Changing residence. ▪ The vehicles were already owned by the applicant before importation. ▪ To be re-exported at the end of tenure.	i. Letter of application /application form. ii. Proof of ownership for at least one year. iii. Work Permit. iv. Test report showing compliance with emission standards as outlined in KS 1515:2019

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9	Vehicles being imported by returning residents	The vehicles are owned by Kenyan Citizens	i. Letter of application /application form. ii. Proof of legal residency (minimum of 2 years). iii. Proof of ownership of the vehicle (minimum of 365 days). iv. Tabulation of movements using applicant's passport. v. Sworn affidavit on the truth of the information provided. vi. Vehicle must be right hand drive. vii. Test report showing compliance with emission standards as outlined in KS 1515:2019
10	Donations under national interest	Goods are for National interest	i. Letter of application /application form. ii. Registration status of the importer. iii. Donation certificate from the donor iv. Support by relevant Government ministry.
11	Police Auctioned Vehicles	The vehicles are in Kenya in the custody of Kenya police and are not claimed.	i. Application letter by the applicant. ii. Multi-Agency Pre-Auction Report. iii. Gazette Notice by the National Police Service listing the vehicles foe auction specifying units for use on roads and those for scrapping in line with multi-agency pre-auction report. iv. Court order authorizing the auction. v. License of the Auctioneer who conducted the auction. vi. Tape lift from DCI vii. Interpol clearance