

ANNUAL REGISTRATION REQUIREMENTS

Registration will be valid from 1st July to 30th June of every financial year.

NEW APPLICATIONS

- A. Company Profile
- B. Certificate of incorporation
- C. Current Business Permit
- D. Latest Audited Accounts
- E. PIN/VAT Registration Certificate
- F. Memorandum and Article of Association
- G. Identification and Profile of Company's Directors
- H. Tax Compliance Certificate
- I. Certificate of Good Conduct for Directors of the Company
- J. Duly filled Crop Act, 2013 form.

RENEWALS

- A. Filled Crop Act Form
- B. Current Business Permit
- C. Current Tax Compliance
- D. Form E

PRESHIPMENT APPROVAL REQUIREMENTS

- A. Quantity and type of Sugar
- B. Country of Origin
- C. Proforma Invoice showing all charges (FOB, Freight, Insurance, Premium)
- D. Intended time of importation
- E. Supplier

PERMIT REQUIREMENTS(SUBMITTED ONLINE)

- A. Dated Bill of Lading
- B. Imports Declaration Form (IDF)
- C. Certificate of Origin
- D. Commercial Invoice

NOTE.

After being registered as an importer one can apply for pre-shipment approval for quantities intended for importation in the next 1-3months. With a pre-approval a permit is then issued.

Agriculture Fisheries and Food Authority



CROPS ACT

Section 16 (1) & (2)

APPLICATION FOR REGISTRATION AS DEALER

1. Name of applicant
2. Specific Scheduled Crops person is dealing in
 - (i)
 - (ii)
 - (iii)
 - (iv)
 - (v)
 - (vi)
 - (vii)
3. Category of dealer (tick as appropriate)

<ol style="list-style-type: none">a) Collectorb) Buyerc) Sellerd) Transportere) Exporterf) Importer	<ol style="list-style-type: none">g) Warehousemanh) Brokersi) Auction organizersj) Any other (specify)
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4. Registered address Building.....
Street.....
Town/City..... L.R. No.
Telephone
Fax.....E-mail.....
5. Post Office Address
6. Date of Incorporation (if company).....
7. Registration No.....
8. Name of Company
9. Details of the capital structure:
 - (i) Nominal capital KSh.....
 - (ii) Paid up capital KSh
10. Full names, addresses and occupations of the directors:

<i>Name:</i>	<i>Address:</i>	<i>Occupation:</i>
1.
2.
3.

4.
5.

11. Branch Office(s) if any

Address:.....
Building Street
Town/City..... L.R. No.
Telephone Fax.....
E-mail.....

12. Name, Address and Telephone of the Chief Executive:

Name:
Physical Address Email.....
Telephone:
Postal Address:.....
Professional Qualifications:.....
Experience:.....

13. I/We enclose the following required documentation in support of our application for registration —

- (i) The certified copy of certificate of incorporation or Business Registration Certificate;
- (ii) The certified copy of memorandum and articles of association;
- (iii) A statement listing the names of holding companies, associated companies or partnerships in which the applicant has interest;
- (iv) Names, address and telephone numbers of two business referees:
 - 1.
 - 2.

14. I/We certify that we have read and understood the provisions of the Crops Act, 2013 and the rules made there under. I/We also understand that the registration certificate granted on this application may be cancelled and penalties and punishment may be imposed on each of us if any document or statement submitted by us in the course of this application is false or materially misleading.

Date.....
Name of Director..... Signature
Name of Director..... Signature
Name of Secretary..... Signature

15. I/We certify that the information given above is correct.

Date.....
Name of Director..... Signature
Name of Director..... Signature
Name of Secretary..... Signature

16. I/We hereby apply for registration as a dealer

Date.....
Name of Director..... Signature
Name of Director..... Signature
Name of Secretary..... Signature

17. Additional registration requirements shall be as communicated from time to time by the Authority.

*Interim Director General
Agriculture, Fisheries and Food Authority*

THE SUGAR ACT

(No. 10 of 2001)

IN EXERCISE of the powers conferred by section 33 of the Sugar Act, 2001, the Minister for Agriculture, in consultation with the Board, makes the following Regulations: -

**THE SUGAR (IMPORTS, EXPORTS AND BY- PRODUCTS) (AMENDMENT)*
REGULATIONS, 2010**

1. These Regulations may be cited as the Sugar (Imports, Exports and By-products) Regulations, 2008.
2. In these Regulations except where the context otherwise requires-
 - "export permit" means a permit issued by the Board in accordance with regulation 4;
 - "import permit" means a permit issued by the Board in accordance with regulation 4;
 - "registered exporter" means a person who holds an export permit issued by the Board to take or cause to be taken out of Kenya sugar and its by-products;
 - "registered importer" means a person who holds an import permit issued by the Board to bring or cause to be brought into Kenya sugar and its by-products;
3.
 - (1) Every person who imports or exports sugar or its by-products shall apply for an Import or export permit from the Board.
 - (2) An application for an import permit shall be in Form A as set out in the Schedule.
 - (3) An application for an export permit shall be in Form C as set out in the Schedule.
4.
 - (1) Where the Board approves an application for an import or export permit under these Regulations, it shall on payment of a registration fee of one hundred thousand shillings register the applicant by entering the name and such other particulars as it may determine in the register maintained under regulation 5.
 - (2) The Board shall, upon registering an applicant under paragraph (1) issue an import or export permit in Form B or D as the case requires, in the Schedule to these Regulations.
 - (3) A permit issued under these Regulations shall be subject to such conditions as the Board may impose.

- (4) The permit shall be issued only for the specific consignment being imported or exported.
5.
 - (1) The Board shall maintain a register of all importers and exporters granted permits in accordance with these Regulations.
 - (2) Permits granted to manufacturers entitled to import white refined sugar shall not be transferable and third party trading shall be prohibited.
 - (3) A manufacturer who wishes to procure refined sugar locally from another manufacturer must obtain approval from the board.
6.
 - (1) The Board shall determine annually the amount of refined sugar required by manufacturers and other sugar intended for local consumption taking into account the shortfall in the domestic production.
 - (2) Pursuant to paragraph (1) the Board shall issue permits for such quantities to be imported by registered importers under the COMESA Mutual Tariff Concessions as provided in the schedule to these Regulations.
 - (3) Importers of Raw or Mill White and Refined Sugar outside the COMESA Mutual Tariff Concessions shall not be subject of the auction in (2) above.
7. On successful processing of Customs documentation, the consignment of import or export shall be physically verified jointly by authorized Kenya Revenue Authority and Kenya Sugar Board officials.
8. Goods will only be released to the consignee on issuance of a Release Order issued by Kenya Sugar Board in the manner prescribed in Form G.
9. Every importer or exporter granted a Release Order, shall make returns to the Board in the manner prescribed in Forms E and F as the case may require, in the Schedule.
10.
 - (1) The Board may cancel an import or export permit of a person who contravenes these Regulations.
 - (2) A person whose permit has been cancelled may appeal against the decision to the Sugar Arbitration Tribunal.

* Amendment done in February 2010

LEGAL NOTICE NO. 122

THE SUGAR ACT

(No. 10 of 2001)

IN EXERCISE of the powers conferred by section 33 of the Sugar Act, 2001, the Minister for Agriculture, in consultation with the Kenya Sugar Board, makes the following Regulations:—

THE SUGAR (IMPORTS, EXPORTS AND BY-PRODUCTS)
(AMENDMENT) REGULATIONS, 2009:

1. These Regulations may be cited as the Sugar (Imports, Exports and By-Products) (Amendment) Regulations, 2009.

2. Regulation 4 of the Sugar (Imports, Exports and By-Products) Regulations, 2008 (in these Regulations referred to as "the principal Regulations"), is amended—

L.N. 104/008

(a) in paragraph (3), by deleting the expression "with the written approval of the Minister" appearing immediately after the expression "the Board may";

(b) by deleting paragraph (5).

3. The principal Regulations are amended in regulation 10 by deleting the expression "Minister" appearing in paragraph (2) and substituting therefor the expression "Sugar Arbitration Tribunal".

4. The Schedule to the principal Regulations is amended—

(a) in Form "B", by deleting the expression "in consultation with the Ministry of Agriculture", wherever it appears;

(b) in Form "D", by deleting the expression "in consultation with the Ministry of Agriculture", wherever it appears.

Dated the 28th July, 2009.

WILLIAM ARAP RUTO,
Minister for Agriculture.

