ANALYSIS OF STAKEHOLDERS' COMMENTS ON THE CONSULTATION PAPER ON THE PROPOSED INTRODUCTION OF PERMIT PROCESSING FEE ON THE NATIONAL ELECTRONIC SINGLE WINDOW SYSTEM (NESWS) MARCH 2026 HELD FROM MARCH 17TH TO APRIL 30TH 2026

No.	Stakeholder	Section	Current Content	Proposed Content	Stakeholder Justification	CA Position	CA Justification	New Content
1.	Airtel Networks Kenya Limited	Section 2: Background	Once the equipment has undergone the type [approval] process, equipment vendors and users can then import the product/equipment through the National Electronic Single Window System (NESWS) for sale/use in the country.	Once the equipment has undergone the type approval process, equipment vendors and users can then import the product/equipment through the NESWS for sale/use in the country. "Type approval is granted at the equipment model level, while import permit processing under NESWS is conducted at the shipment level."	This clarification avoids duplication of regulatory costs and confirms that the proposed permit processing fee is an administrative charge for clearance facilitation rather than a re-approval or re-certification of previously approved equipment models.	Type Approval (TA) and Import Permit processing are two separate processes. Type Approval is conducted by the Authority and applies to each specific equipment make and model. In contrast, Import Permit processing is carried out through the NESWS and applies to individual shipments, which may contain one or multiple type approved makes and models.	This is to provide a clear distinction between the two processes (Type approval and Import permit clearance)	Additional text under Back ground section of the consultation paper. "Type approval is granted at the equipment model level, while import permit processing under NESWS is conducted at the shipment level."
		Section 6: The Proposed Fees	The proposed fee is categorized based on whether the equipment is meant for commercial or non-commercial usage. The proposed applicable fees, therefore, are: • KES 15,000 per permit for commercial use; and • KES 5,000 per permit for non-commercial use (personal use)	"The proposed applicable fee shall apply per shipment (consignment) per permit submitted through NESWS, regardless of the number of units contained therein, provided that all equipment models in the shipment are type approved. Where a shipment contains equipment for both commercial and non-commercial use, the commercial permit fee shall apply." • KES 15,000 per permit for commercial use; and • KES 5,000 per permit for non-commercial use (personal use)	Clear definition of the fee application unit is critical for transparency, predictability, and fair regulatory enforcement. Applying the fee per shipment aligns with the NESWS operational model, where permits are processed per import declaration rather than per unit. This also avoids disproportionately high regulatory costs for importers shipping multiple models in a single consignment.	The proposed fees shall apply for each permit submitted on NESWS for the Authority to action categorized as either commercial on non-commercial	This is to align with the NESWS operational model, where applications and payment for the services on the system is pegged on the UCR or permits/license applied for in the system as detailed in the national electronic single window system (general) regulations, 2023	None
2.	Kingfin Enterprises Limited (SME)	General– Proposed Introduction of Permit Processing Fees	The Authority does not currently charge for the permit processing. It is on this basis, and the need to sustain efficient operations, that the Authority proposes to introduce permit processing fees.	DROP/WITHDRAW the proposed permit processing fees entirely.	As a Kenyan SME, the business environment is already constrained by high costs, limited financing access, and unpredictable tax regimes. New fees will stifle innovation, discourage compliance, and harm small businesses operating at thin margins.	To mitigate any losses due to demurrage, there is need to process permits in a timely manner to avoid delays at the port of entry.	The fees have been introduced to meet the costs associated with maintaining efficient operations and allocating the dedicated r esources required to comply with the stringent timelines for permit processing	None

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					The government should instead enhance efficiency and accountability in public resource management, stabilize the tax and regulatory environment, and improve service delivery before imposing new levies.			
3.	CP Solar Resources Ltd		The evaluation process consists of three stages: checking, verification, and inspection, to ensure that all ICT equipment imported into the country complies with applicable technical and regulatory requirements.	Match the mandate with that of KEBS …under the Standards Act (Cap 496) core mandate is to promote standardization, quality assurance, and metrology for products and services to ensure safety, quality, and consumer protection in Kenya.	Mitigate Duplication to address time and cost.	The Authority and KEBS are separate organizations with distinct and non-overlapping mandates. Consequently, their roles, responsibilities, and processes are different and cannot be directly equated or aligned.	NESWS is a different system from the Pre Verification of Conformity (PVoC) an initiative of KEBSs	None
			Intention to introduce a Permit Processing Fee for permits processed through the KenTrade National Electronic Single Window System (NESWS).	Rely on existing platforms – KRA, KEBS, NEMA (recently introduced-EPR for protection of environment).	Efficiency and Cost of Business.	The Authority is not coming up with a new platform. NESWS is an existing platform hosted by KENTRADE for purposes of trade facilitation, where different Partner Government Agencies (PGA), including KRA, KEBS and NEMA, execute their respective mandates.	The fees have been introduced to meet the costs associated with maintaining efficient operations and allocating the resources required to comply with the stringent timelines for permit processing	None
			The Type Approval process involves an evaluation of submitted technical specifications and laboratory test reports. Where applicable, samples are also submitted for physical examination and feature testing.	Rely on KEBS CoC (Certificate of Conformity) – Issued by KEBS upon Checking, verification that products conform to Kenyan, EAC or IEC Standard. Importers are already paying for this service.	Mitigate Duplication to address time and increased cost of business.	KICA 1998 has mandated the Authority to licence and regulate postal, information and communication, this entails the issuance of licenses, management of resources required by the licensee, and compliance to the license terms and conditions. This includes controlling the importation, acquisition, manufacture and sale, of ICT equipment in the country done through the type approval process. Further the standards (verification of conformity to Standards and other applicable regulations) Order, 2020 exempts certain products regulated by the Authority from PVoC programme.	The type approval process is necessary to fulfill the Authority's mandate under the Kenya Information and Communications Act (KICA) to ensure that ICT equipment manufactured in or imported into the country is safe for public use, does not cause interference with existing telecommunications networks, and is interoperable with other communication systems.	None

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						This means that the Authority is expected to take responsibility for such goods before or when they are arrive at the port of entry.		
			This poses challenges, noting that the Authority does not currently charge for the permit processing. It is on this basis, and the need to sustain efficient operations, that the Authority proposes to introduce permit processing fees.	Yes, the process will pose a challenge that can easily be mitigated by avoidance of new tests, inspection yet concerns are already addressed by other government agencies.	Foster information sharing and linkages between lead agencies for efficiency.	No additional testing is undertaken at the permit processing stage. The role of the Authority's inspection officers is limited to confirming that the information provided in the supporting documentation matches the actual consignment, including the declared quantities, makes, and models indicated in the Import Declaration Form.	This is to ensure that only type approved equipment should be released at the port of entry after physical verification by the Authority, thus enabling it to take accountability for all ICT imports.	None
		Section 6: The Proposed Fees	The proposed fees are categorized based on whether the equipment is meant for commercial or non-commercial usage. The proposed applicable fees, therefore are: • KES 15,000 per permit for commercial use; and • KES 5,000 per permit for non-commercial use (personal use)	Drop the fees. As addressed above, KEBS, KRA, NEMA have existing mechanisms to address the matter of Checking, Verification, and Inspection of imported and locally manufactured goods.	Check business turnaround times, efficiency, and reduced cost of business in Kenya for better business environment and Competitive Advantage against neighbors.	KICA 1998 has mandated the Authority to licence and regulate postal, information and communication, this entails the issuance of licenses, management of resources required by the licensee, and compliance to the license terms and conditions. This includes controlling the importation, acquisition, manufacture and sale, of ICT equipment in the country done through the type approval process, this means that the Authority is expected to take responsibility for ICT imports.	The fees have been introduced to recover the costs associated with maintaining efficient operations and allocating the resources required to comply with the stringent timelines for permit processing	None
4.	Safaricom PLC	Section 6: The Proposed Fees – Compounding Cost Burden on Operators (Point i)	The proposed fee is categorized based on whether the equipment is meant for commercial or non-commercial usage: • KES 15,000 per permit for commercial use; and • KES 5,000 per permit for non-commercial use (personal use)	Retain the existing Type Approval application fees only. Discontinue the proposed additional NESWS per mit processing fee.	Safaricom already faces a significant cost structure including substantial: • Annual license fees, • Spectrum fees, • Universal Service Fund levy, and existing • Type Approval application fees. This new additional levy creates a compounding financial burden that increases the cost of doing business. Existing regulatory levies are already sufficient to cover the administrative overheads of the Authority's oversight functions.	Permit processing is an additional task to the Authority independent from the other processes like licensing, USF obligations and Spectrum fees. Therefore, this process needs its own resources to efficiently support its operations.	The fees have been introduced to meet the costs associated with maintaining efficient operations and allocating the resources required to comply with the stringent timelines for permit processing	None

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					Safaricom is also in consultation with NEMA which has introduced additional substantial costs on the industry.			
		Section 6: The Proposed Fees – KES 5,000 Fee for Personal Use Creates Barrier to Legal Importation (Point ii)	KES 5,000 per permit for non-commercial use (personal use).	Discontinue the proposed KE 5,000 permit processing fee fo personal use.	The proposed KES 5,000 fee fo personal use creates an unnecessar financial barrier for individual importing specialized ICT equipment. Such a fee risks discouraging lega importation, potentially driving user toward informal channels, whic undermines the Authority's broade efforts to ensure all equipment in th country is Type Approved and safe. Such grey imports subver the government ambition to collec taxes and safeguard our borders.	Processing permits lodged for individual import still requires resources from the Authority, in so fa as ensuring the equipment is safe to both the use and those in the vicinity as well as ensuring that i is interoperable with public telecommunication networks.	The fees have been introduce to meet the costs associate with maintaining efficient operations and allocating th resources required to compl with the stringent timelines fo permit processing.	None
		Section 6: The Proposed Fees – Disincentive to Infrastructure Investment and Digital Inclusion (Point iii)	The proposed fee is categorized based on whether the equipment is meant for commercial or non-commercial usage: • KES 15,000 per permit for commercial use; and • KES 5,000 per permit for non-commercial use (personal use)	Maintain the current fee structure (Type Approval application fees only). Do not introduce additional NESWS perm it processing fees.	The Government of Kenya has identified digital connectivity as a cornerstone of its socio-economic agenda. The proposed fee acts as a direct disincentive to infrastructure investment. By increasing the cost of importing network equipment, handsets, and customer-premises equipment (CPE), the Authority inadvertently raises the barrier to entry for consumers, undermining the shared objective of 100% digital inclusion.	Type approval is a one time fee per make an model of an equipment, however perm applications are for consignments in larg quantities. In addition, once one entity has type approved a equipment, any other entity can import the sam equipment.	Processing o the numerous applications fo permits from one typ approved model and mak which comes with associate strict timelines on NESWS t avoid demurrage requir dedicated resource (personnel) and hence the nee to introduce the fees to cate for these resources.	None
		Section 6: The Proposed Fees – Impact on Large-Scale Network Expansion (Point iv)	The proposed fee is categorized based on whether the equipment is meant for commercial or non-commercial usage: • KES 15,000 per permit for commercial use; and	Maintain the current fee structure. Operational expenditure should remain focused on service delivery rather than regulatory overheads.	Safaricom is currently undertakin large-scale network expansion tha requires continuous importation o infrastructure components. Every incremental cost incurred at th regulatory stage reduces the capita	The stringent operational timelines in permit processing necessitate dedicated resources to enhance service delivery.	The dedicated resource are required to ensure tha there are no delays in servic delivery, which could lea to demurrage losses which, i incurred by importers, ma	None

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			• KES 5,000 per permit for non-commercial use (personal use)		available for actual networ deployment and rural coverag expansion. Maintaining the current fee structur is vital to ensuring that operationa expenditure remains focused o service delivery rather than regulator overheads.		increase the cost of doin business.	
5.	Daniel Murugu (Pro Bono Public Policy Lobbyist)	General – Proposed Introduction o Permit Processing Fees	The Authority does not currently charge for the permit processing. It is on this basis, and the need to sustain efficient operations, that the Authority proposes to introduce permit processing fees.	DROP the proposed fee entirely.	The fee should be dropped to cushio traders from over-exploitatio during difficult economic times.	The fees are being introduced to enhance the efficiency and effectiveness of the process for traders by having dedicated personnel for this function.	The fees have been introduce to meet the costs associate with maintaining efficient operations and allocating th resources required to compl with the stringent timelines fo permit processing	None
6.	Kennedy Mary	General inquiry	My question is when we start paying for permit fee on Kentrade,will type approval permit be required for approval of CAK permit, or what will be requirements for permit to be approved on Kentrade.	None	None	Yes, only permits for type approved equipment shall be approved on the NESWS. Further, the requirements for a permit to be approved are: • Commercial invoice • Valid Compliance Certificate from the Authority in case of commercial use • Proof of type approval • IPv6 requirement	Type Approval (TA) an Import Permit processing ar two separate processes. Type Approval is conducted b the Authority and applies t each specifi equipment make and model. In contrast, Import Perm processing is carried ou through the NESWS an applies to individua shipments, whic may contain one c multiple type approved make and models.	None
7.	Kenya Association of Manufacture rs (KAM)	Section 6. Proposed fees	Proposed fees KES 15,000 per permit for commercial use; and KES 5,000 per permit for non-commercial (personal) use	Exempt local manufacturers and assemblers on imported inputs, components, and SKD/CKD kits used in local production of various electronics declared in the following: HS Codes 8443.31.00 | 8517.62.00 8443.32.00 | 8517.69.00 8443.39.00 | 8525.50.00 8517.11.00 | 8525.60.00	These recommendations are based on the following: • The local manufacturing of electronics industry is nascent and requires Support: • Sector relies on imported inputs/CKD kits amid high costs and limited scale; • Fees raise production costs, hurt competitiveness, deter	The proposed fees are not charged for th imported SKD/CKD. The proposed fees are for processing the importe SKD/CKD in an affective and efficient manner tha will help the nascent manufacturing industry t grow. This is premised on the fact that any delays i processing permits of the imported SKD/CKD wi result in demurrage costs and henc negatively impacting manufacturing.	The fees will enabl deployment of dedicate resources required to ensur that there are no delays i service delivery.	None

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				8517.13.00 8526.10.00 8517.14.00 8526.91.00 8517.18.00 8526.92.00 8517.61.00 90.	investment, and counter import substitution/digital hub ambitions			
				Undertake a regulatory impact assessment to evaluate the implications of the proposed fees for the manufacturing sector and broader economy;	Regulatory Burden: • Manufacturing GDP fell fror 11.08% (2011) to 7.3% (2024 partly attributed to duplicativ fees; • sector faces 17 licenses/levie (Ksh 1M+ total, up 124% i counties); • new fees exacerbate this (according t regulatory audit report b KAM,2025) • HS CODE Structure: EAC CET/HS code group Completely Knocked Kit and finished products under th same code	Before the proposed fees are implemented, the Authority shall carry out a regulatory impact assessment which shall accompany the proposed fees in the subsequent stages needed for the approval. The HS Codes are determined at the EAC Council of ministers level as such the Authority is not in a position to alter/merge/unmerge the HS codes for CKDs and finished products.	Statutory Instrument ACT 2013, requires that a regulatory impact assessment is done before any statutory instrument introducing a fee is progressed for approval and implementation.	
			.	Align the framework with nationa industrialization objectives to ensure policy coherence	Introducing fees favors finishe imports over local assembly, creatin an uneven playing field.	The proposed fees are meant to cater for dedicated resources (personnel) ensuring both the finished and CKD are up to international standards thereby having a global competitive advantage. In addition, the proposal will enhance efficiency and effectiveness in service delivery to the sector.	This is to align with the objectives and strategies of the national industrialization policy 2012-2030.	

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8.	Everest Maven	Proposed fees KES 15,000 per permit for commercial use; and KES 5,000 per permit for non-commercial (personal) use	Proposed fees KES 15,000 per permit for commercial use; and KES 5,000 per permit for non-commercial (personal) use	If permit fees are really what you need, they can be as follows:- Commercial: 5000/= Personal: 2000/=	This additional burden in a struggling economy will not only stifle progress made with regards to the ICT sector but also make it impossible for ICT equipment to reach low-income households. Kenya is a 3rd world country with a struggling economy. Such price shocks are not only destructive but leave us way behind in a highly competitive global space.	The fees as proposed are pe permit applied on NESWS for processing purpo es. A permit may contain an unlimited numbe of ICT equipment within it, therefore the fee are not punitive since they are not based on a pe model/item basis.	The fees have been introduced to cater for the costs associated with maintaining efficient operations and allocating the resources required to comply with the stringent timelines for permit processing	None