



# EAST AFRICAN COMMUNITY GAZETTE

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ARUSHA, 26th November, 2009

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Legal Notice No. EAC/30/2009.

THE PROTOCOL ON THE ESTABLISHMENT OF THE  
EAST AFRICAN COMMUNITY CUSTOMS UNION

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Articles 12 (3) and 39(c) of the Protocol on the Establishment of the East African Community Customs Union, the Council of Ministers has approved the following measures on customs duty rates on items indicated in this notice under the EAC Common External Tariff (Annex 1 to the Protocol on the Establishment of the EAC Customs Union):

	HS CODE	DESCRIPTION OF GOODS	IMPORT DUTY RATES
1	5402.62.00 5402.69.00 5403.10.00 and synthetic and artificial yarn under Headings 54.02 to 54.04	Synthetic and Artificial filament yarn.	Import duty rate 10% .  The amendment under Item 5 in Legal Notice No. EAC/8/2009 of 2nd July 2009 is hereby revoked.
<b>Split of HS codes</b>			
2	<b>Split HS 2817.00.00 as follows:</b>  2817.00.10  2817.00.20	<b>Zinc oxide; zinc peroxide</b>  --- Zinc oxide  --- Zinc peroxide	  Import duty rate 10%  Import duty rate 0%
3	<b>Split HS Code 4011.20.00 as follows:</b>  4011.20.10  4011.20.20	- Of a kind used on buses and lorries  --- With a rim size below 17 inches  --- With a rim size of 17 inches and above	  Import duty rate of 25%  Import duty rate of 10%
4	48.23	- Gummed or adhesive paper, in strips or rolls	Deleted

**HON. DR. DIODORUS KAMALA,**  
Chairperson Council of Ministers.

Arusha, Tanzania  
November, 2009

Legal Notice No. EAC/31/2009.

AMENDMENTS TO THE FIFTH SCHEDULE (EXEMPTION REGIME) OF  
THE EAC CUSTOMS MANAGEMENT ACT 2004

THE EAST AFRICAN COMMUNITY CUSTOMS  
MANAGEMENT ACT 2004

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Section 114 (3) of the East African Community Customs Management Act 2004, the Council of Ministers has amended the Fifth Schedule of the Act as follows:—

1. Paragraph 15 of Part B is amended by inserting the word “aquaculture,” after the word “horticulture” wherever it appears in the paragraph.
2. Paragraph 22 of Part B is amended by inserting immediately after subparagraph (c), the following new subparagraph—  
  
“(d). *Aluminium cans for diary industry.*”
3. Paragraph 30 of Part B is amended by numbering the first subparagraph as (a) and inserting a new subparagraph (b) to read as follows—  
  
“(b) Spare parts for machinery used in mining imported by licensed mining companies.”

HON. DR. DIODORUS KAMALA,  
*Chairperson Council of Ministers.*

Arusha, Tanzania  
November, 2009

Legal Notice No. EAC/32/2009.

THE EAST AFRICAN COMMUNITY CUSTOMS  
MANAGEMENT ACT 2004

AND

THE EAST AFRICAN COMMUNITY CUSTOMS MANAGEMENT  
(DUTY REMISSION) REGULATIONS, 2008

LEGAL NOTICE

IN EXERCISE of the powers conferred upon the Council of Ministers by Section 140 of the East African Community Customs Management Act 2004, the Council of Ministers has approved the remission of duties specified hereunder—

SN	HS Code	Description of goods	Remission of duties
1	7312.10.00	- Stranded wire	Granted duty remission from import duty rate of 10% to 0% on stranded wire used in manufacture of tyres and imported by manufacturers of tyres
2	1003.00.90	Barley - Other	Granted duty remission on barley from 25% to 10% imported by beer breweries into Kenya for one Year
3	1107.10.00	Malt - Not roasted	Granted duty remission on malt from 10% to 0% imported by beer breweries into Kenya until 30th June 2010
4.	4012.90.10	--- Treads for cold retreading	Granted duty remission of import duty from 10% to 0% on treads for cold retreading used in the retreading of tyres and imported by manufacturers of retreaded tyres
5.		Goods used in the manufacture of goods for export	Granted import duty remission to 0% on goods used in the manufacture of goods for export subject to conditions specified in Articles 25 and 27 of the Protocol establishing the EAC Customs Union
6.		Raw materials directly used in the manufacture of aluminium cans for the dairy industry	Granted duty remission to 0% on raw materials used directly in the manufacture of aluminium cans for the dairy industry

HON. DR DIODORUS KAMALA,  
*Chairperson Council of Ministers.*

Arusha Tanzania  
November, 2009.

Legal Notice No. EAC/33/2009.



EAST AFRICAN COMMUNITY

## **11<sup>TH</sup> SUMMIT OF HEADS OF STATE**

### **INSTRUMENT OF APPROVAL OF THE REVIEW OF CHAPTER 40 OF THE EAST AFRICAN COMMUNITY COMMON EXTERNAL TARIFF**

*(Under Article 42(2) (1) of the Protocol on the Establishment  
of the East African Community Customs Union)*

WHEREAS Article 42(2) (1) of the Protocol on the Establishment of the East African Community Customs Union provides that the Council may review annexes to the Protocol on the Establishment of the East African Community Customs Union;

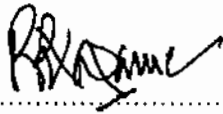
AND WHEREAS the Council has decided to review the East African Community Common External Tariff by splitting its code 4011.20.00 and deleting the additional note on tyres in the Chapter notes that reads "For the purposes of its Code 4011.20.00 tyres of a kind used on buses or lorries shall be having a rime size 17 inches and above".

WE the undersigned, constituting the Summit of Heads of State approve the decision of the Council of Ministers to review Chapter 40 of the East African Community Common External Tariff by deleting the additional note on tyres in the Chapter notes that reads

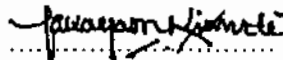
"For the purpose of its code 4011.20.00 tyres of a kind used on buses or lorries shall be having a rim size 17 inches and above".

DONE AT ARUSHA, TANZANIA this 20<sup>th</sup> day of November the year Two Thousand and Nine in six (6) originals all of them being authentic.

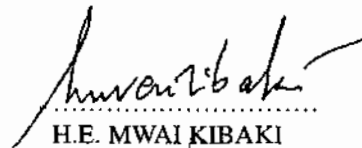
IN WITNESS WHEREOF we have hereto appended our signatures:



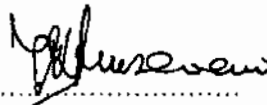
H.E. PAUL KAGAME  
President of the  
Republic of  
Rwanda



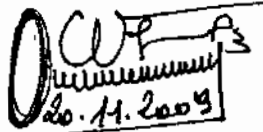
H.E. JAKAYA MRISHO  
KIKWETE  
President of the United  
Republic of Tanzania



H.E. MWAI KIBAKI  
President of the  
Republic of Kenya



H.E. YOWERI  
KAGUTA MUSEVENI  
President of the  
Republic of  
Uganda



H.E. PIERRE NKURUNZIZA  
President of the  
Republic of Burundi

Legal Notice No. EAC/34/2009.



EAST AFRICAN COMMUNITY

## **11<sup>TH</sup> SUMMIT OF HEADS OF STATE**

### **INSTRUMENT OF DELEGATION OF POWERS AND FUNCTIONS**

*(Made under Sections 3, 5, and 6 of the Summit  
(Delegation of Powers and Functions) Act, 2008)*

WHEREAS Article 42(2) of the Protocol on the Establishment of the East African Community Customs Union provides that the Council of Ministers ("the Council") may, with the approval of the Summit of Heads of State ("the Summit"), review the annexes to the Protocol and make such modifications as the Council deems necessary;

AND WHEREAS the Summit (Delegation of Powers and Functions) Act, 2008 provides that the Summit of Heads of State may delegate to the Council the exercise of any power or the performance of any function vested in the Summit by the Treaty for the Establishment of the East African Community;

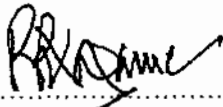
AND WHEREAS the Council has deemed it necessary to request the Summit to delegate its powers of approval of reviews of the East African Community Common External Tariff and the East African Community Rules of Origin in order to facilitate the smooth operation of customs administration in the East African Community.

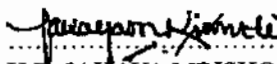
WE the undersigned constituting the Summit of Heads of State and pursuant to Sections 4, and 6 of the Summit (Delegation of Powers and Functions), Act 2008 do hereby delegate the powers of the Summit to approve reviews of the East African Community Common External Tariff and East African Community Rules of Origin to the Council subject to the following conditions and qualifications:—

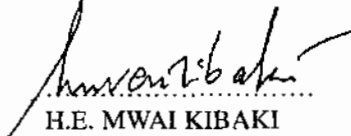
- 1.0 The Council shall report to the Summit the Council's decisions pertaining to any approved reviews of the East African Common External Tariff and the East African Community Rules of Origin;
- 2.0 The Summit shall review this delegation of powers and functions every three years with effect from the date of this delegation;
- 3.0 The approval of the East African Community Common External Tariff and the East African Community Rules of Origin by the Council shall be initiated by the East African Community Sectoral Council on Trade, Industry, Finance and Investment.

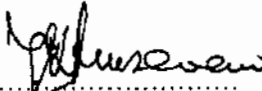
DONE AT Arusha, Tanzania this 20<sup>th</sup> day of November the year Two Thousand and Nine in six (6) originals all of them being authentic.

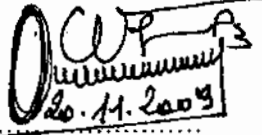
IN WITNESS WHEREOF we have hereto appended our signatures:

  
 .....  
 H.E. PAUL KAGAME  
 President of the  
 Republic of  
 Rwanda

  
 .....  
 H.E. JAKAYA MRISHO  
 KIKWETE  
 President of the United  
 Republic of Tanzania

  
 .....  
 H.E. MWAI KIBAKI  
 President of the  
 Republic of Kenya

  
 .....  
 H.E. YOWERI  
 KAGUTA MUSEVENI  
 President of the  
 Republic of Uganda

  
 .....  
 H.E. PIERRE NKURUNZIZA  
 President of the  
 Republic of Burundi