



East African Community Gazette 2021

Revocation of stay of application of CET on footwear

The East African Community Council of Ministers ('Council') has revoked the stay of application of the East African Community Common External Tariff (CET) rates on footwear that was granted to Kenya under Legal Notice No EAC/118/2021 vide EAC Gazette Vol. AT 1 No 14 of 30 June 2021.

The revocation was communicated through EAC Gazette Vol. AT 1 – No. 21 dated 27 August 2021 and will take effect on the date of publication.

Revocation of stay of application of the CET on footwear

The Council granted Kenya a stay of application of the CET on certain items, including footwear to allow Kenya apply higher import duty rates (generally) for a period of one year. Specifically, the Council approved a stay of application of the CET on the following footwear:

#	Tariff code/heading	Product description	CET rate	Rate applicable for 1 year
1	6405.10.00	Shoes with uppers of leather	25%	25% or USD 1.5 per pair
2	6405.20.00 6405.90.00	Footwear with uppers of textile materials	25%	25% or USD 1 per pair
3	6401.10.00	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes. Footwear incorporating a protective metal toecap	25%	25% or USD 1 per pair
4	6401.92.00	Safety gumboots and similar articles	25%	25% or USD 1 per pair
5	6401.99.00	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes. Covering the ankle but not covering the knee.	25%	25% or USD 1 per pair
6	6402.19.00	Other sports footwear (other than ski-boots, cross-country ski footwear and snowboard boots)	25%	25% or USD 1 per pair
7	6402.20.00	Other footwear with outer soles and uppers of rubber or plastics. full plastic footwear	25%	25% or USD 1 per pair
8	6402.91.00	Footwear with upper straps or thongs assembled to the sole by means of plugs slippers, Flip Flops and the like.	25%	25% or USD 1 per pair
9	6402.99.00	Other footwear with outer soles and uppers of rubber or Plastics covering the ankle	25%	25% or USD 1 per pair
10	6403.20.00	Footwear with outer soles of leather, and uppers which consist of leather straps across the instep and around the big toe	25%	25% or USD 1.5 per pair
11	6403.40.00	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather – incorporating a metal toecap	25%	25% or USD 1.5 per pair
12	6404.11.00	Sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like	25%	25% or USD 1 per pair
13	6403.12.00	Ski Boots, cross country ski footwear and snowboard boots	25%	25% or USD 1 per pair
14	6403.19.00	Other Sportswear	25%	25% or USD 1 per pair
15	6403.51.00	Other footwear with outer soles of leather - Covering ankle	25%	25% or USD 1.5 per pair
16	6403.59.00	Other footwear with outer soles of leather - Other	25%	25% or USD 1.5 per pair
17	6403.91.00	Other footwear covering the ankle	25%	25% or USD 1.5 per pair
18	6403.99.00	Other footwear - Other	25%	25% or USD 1.5 per pair
19	6404.19.00	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials - Other	25%	25% or USD 1 per pair
20	6404.20.00	Footwear; tennis shoes, basketball shoes, gym shoes,	25%	25% or USD 1.5 per pair



Our view

The Council had granted Kenya a stay of application of the CET on the above listed footwear in a bid to shield local manufacturers of the footwear from competition arising from cheaper imports and to promote growth of the local footwear industry. This measure is in line with the EAC policy of promoting the local textile and footwear industry in the region and is amongst other similar duty rate measures that have been implemented in the EAC over the years.

The revocation of the stay of application of the CET on the footwear means that the affected footwear will attract the CET rate of 25% when imported into Kenya effective 27 August 2021. This revocation comes in barely two months after the stay of application was granted on 1 July 2021 and was geared towards reducing the cost of importing footwear into Kenya perhaps due to insufficient capacity by local manufacturers in Kenya to satisfy the local demand. It would appear that the increase in import duty on the affected footwear was not yielding the desired outcome and was instead negatively affecting businesses involved in the importation of footwear. To mitigate against similar issues in future, it would be prudent for the National Treasury to carry out adequate stakeholder consultations in order to determine the implications of duty rate changes prior to seeking approval from the Council.

For clarification on this alert, please contact

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