

## THE COFFEE (EXPORT CONTROL) RULES

L.N.247/1964,  
L.N.381/1964,  
L.N.171/1967,  
L.N.23/1979.

1. These Rules may be cited as the; Coffee (Export Control) Rules.

2. In these Rules, except where the context otherwise requires—

"certificate of origin" and "certificate of re-export" mean certificates of those names the forms of which are currently prescribed by the International Coffee Organization, 22 Berners Street. London W1P 4DD, England;

"certificate of purchase" means a certificate of purchase issued under rule 9 or rule 10;

"certifying agency" means an agency for issuing certificates of origin chosen in accordance with Article 44 (1) of the International Coffee Agreement, and specified in the Second Schedule;

valid licence issued under

"licensed dealer" means the holder of a valid licence issued under section 13 of the Act

3. No person shall export or cause to be exported any coffee through the port of Mombasa unless either a certificate of origin or a certificate of re-export, as may be appropriate, relating to such coffee is produced to the Commissioner of Customs and Excise before export

4. No coffee grown outside Kenya shall enter Kenya- in transit for export unless accompanied by a certificate of origin.

5. No coffee imported into Kenya shall be subsequently exported in any condition or quantity other than that in which it was imported into Kenya, except with a certificate of re-export.

6. Certificates of origin for coffee produced outside Kenya shall be valid only if issued by the certifying agency of the relevant country and endorsed and completed at Mombasa by General Superintendence Company (E.A.) Limited, Mombasa.

7. Certificates of origin for coffee grown in Kenya, and certificates of re-export for coffee grown outside Kenya but re-exported from Kenya, shall only be issued by the Board:

Provided that the Board may appoint agents for the purpose of issuing certificates of origin and certificates of re-export under these Rules, subject to such terms and conditions as it may think necessary.

8. (1) Every licensed dealer shall, when required by the Board in writing, submit to the Board in duplicate a return of the total stock of coffee held by such licensed dealer.

(2) The Board may, upon receipt of returns under paragraph (1) and upon such inquiry or investigation as it may think necessary issue to the applicant a stock certificate relating to such quantity of coffee and in such form and containing such details as it may think

9. The Board shall, after every sale by it of coffee, issue to the purchaser a certificate of purchase in such form and containing such details of the coffee purchased as it may think necessary.

10. Every licenced dealer who either purchases coffee from or sells coffee to another licensed dealer shall, within fourteen days of such sale or purchase—

(a) in the case of a purchaser, notify the Board of such purchase, and the Board may, after securing such information and documents as it may consider necessary for the due discharging of its duties, issue to the purchaser a certificate of purchase in such form and containing such details as the Board thinks necessary;

(b) in the case of a seller, give notice of the sale to the Board, and present or cause to be presented to the Board all relevant certificates of origin, and all stock and purchase certificates for surrender to, or alteration or endorsement by, the Board, as the case may be-

11. (1) Every licensed dealer who sells coffee for consumption in Kenya, shall, when required in writing by the Board, submit, within a month a return thereof to the Board, containing such details as the Board may require.

(2) Every licensed dealer who sells coffee for consumption in Kenya shall, when required in writing by the Board, submit, within fourteen days of the receipt of such written request, a report containing any details relating to such sale of coffee and any other information required by the Board.

(3) Any licensed dealer who submits any return or information to the Board which is false in a material particular shall be guilty of a contravention of these Rules.

12. No person shall, without permission in writing from the Board, alter any certificate of origin or any certificate of re-export or any purchase or stock certificate.

13. Every licensed dealer shall submit to the Board one copy of a certificate of origin or a certificate of re-export, as the case may be, stamped by the Commissioner of Customs and Excise, together with a non-negotiable bill of lading relating to any coffee in respect of which the certificate of origin or certificate of re-export, as the case may be, was issued, within fourteen days of the export of that coffee.

14. Nothing in these Rules shall apply to the export or despatch of any coffee when such coffee is—

(a) for consumption on ships, aeroplanes or other international carriers;

(b) a sample or a parcel not exceeding 60 kg. in weight.

15. Any person who contravenes these Rules shall be guilty of an offence and liable to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two months, or to both such fine and such imprisonment