KENAS
Delivering Trust

KENYA
ACCREDITATION
SERVICE

PL-02-01

Policy on Exemption from KENAS Accreditation

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1 Background Information

1.1 Purpose

Pursuant to Section 10A of the Kenya Accreditation Service Act as amended by Section 23 of the Business Laws (Amendment) Act 2024, all Conformity Assessment Bodies (CABs) operating in Kenya that are accredited by or are seeking accreditation from foreign Accreditation Bodies (ABs) are required to seek exemption from KENAS. This policy outlines the requirements for seeking exemption and the measures for non-compliance.

1.2 Scope

This policy applies to all CABs operating in Kenya that are accredited by or seeking accreditation from foreign ABs.

1.3 Roles and Responsibilities

Role	Responsibility
Scheme Managers	Process owner
Scheme Managers	Reviewer
Chief Executive Officer	Recommender
Board of Directors	Approval
All Foreign Accredited CABs	Compliance

2 Legal Basis

Section 10A of the Kenya Accreditation Service Act as amended by Section 23 of the Business Laws (Amendment) Act 2024.

3 Terms and Definitions

3.1 Acronyms and Abbreviations

AB	Accreditation Body
CABs	Conformity Assessment Bodies
KENAS	Kenya Accreditation Service

3.2 Definition of Terms

3.2.1 Accreditation

Third-party attestation related to a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tasks.

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3.2.2 Conformity assessment Bodies

Bodies that performs conformity assessment activities and that can be the object of accreditation

3.2.3 CAB operating in Kenya

A Conformity Assessment body carrying out any Conformity Assessment Activity within the geographical precincts of Kenya.

3.2.4 CAB established in Kenya

A conformity assessment body registered (or established otherwise) in Kenya.

3.2.5 Exemption

The official clearance granted by KENAS to a CAB to operate in Kenya without KENAS accreditation as provided for under Section 10A of the Kenya Accreditation Service Act.

3.2.6 Foreign CABs

A conformity assessment body registered (or established otherwise) in another country/jurisdiction other than Kenya.

3.2.7 Foreign AB

An Accreditation Body registered (or established otherwise) in another Country/Jurisdiction.

4 Policy Statement

4.1 Categories of CABs to seek exemption

4.1.1 The following are the CABs that will seek exemption from KENAS Accreditation:

a) CABs operating in Kenya (local or foreign) accredited by foreign ABs.
b) CABs established in Kenya seeking accreditation by foreign ABs.

4.1.2 It shall be mandatory for CABs set out in clause 4.1.1. to first seek exemption from KENAS.

4.2 Application for exemption

4.2.1 Application for exemption shall be annual.

4.2.2 Procedure (ACC-PR-01 Procedure for Seeking Exemption from KENAS Accreditation by Foreign Accredited CABs) shall give effect to the provisions of this policy.

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4.3 Exemption Fees

4.3.1 A non-refundable application fee of KES 55,000 or USD 550 is payable upon submission of the Exemption Application Form for each scope and a duly executed Accreditation Exemption Agreement (AG-02. Application fees shall be charged per scope.

4.3.2 Exemption fees which shall be 100% of the fees chargeable by KENAS annually to accredit the scope accredited by the foreign AB. The fees shall be determined through evaluation of the accredited scope and shall be payable annually for the full accreditation cycle.

4.3.3 Both application and exemption fees shall be applicable to all CABs whether or not the scheme/scope accredited by the foreign AB is currently offered by KENAS.

4.3.4 The fees are subject to review and may be adjusted periodically by KENAS.

4.4 Measures for Non-Compliance

4.4.1 Failure to Seek Exemption

4.4.1.1 CABs that fail to seek exemption by the deadline of 27th March 2025 shall be subject to a penalty of KES 500,000 or USD 5,000.

4.4.1.2 Continued non-compliance beyond 30 days after the deadline shall result in an additional penalty of KES 100,000 or USD 1,000 per month until compliance is achieved.

4.4.1.3 Payment of the fine shall not be a waiver to the requirement for application for exemption.

4.4.2 False Information

4.4.2.1 CABs that provide false information in their exemption application shall be subject to a penalty of KES 200,000 or USD 2,000 and shall have their exemption revoked.

4.4.2.2 CAB whose exemption has been revoked under this clause shall be required reapply for exemption.

4.5 Implementation and Review

4.5.1 This policy shall be implemented immediately upon approval by the Board and will be reviewed from time to time to ensure its effectiveness and relevance.

4.5.2 Any amendments to the policy will be communicated to all stakeholders in a timely manner.

4.6 Contact Information

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For any inquiries or further information regarding this policy, please contact KENAS at:

- Email: info@kenas.go.ke
- Phone: +254 (0) 20 484 0000

5 Associated Documents

Ref	Document Identifier	Document Title
1.	No. 17 of 2019	Kenya Accreditation Act
2.	Section 23	Business Laws (Amendment) Act 2024
3.	AG-02	KENAS Accreditation Exemption Agreement
4.	ACC-PR-01	Procedure for Seeking Exemption from KENAS Accreditation by Foreign Accredited CABs
5.	ACC-FM-60	Exemption Application Form

6 Revision/Amendment Records

Date	Version	Revised by	Reason for Revision
05/03/2025	01	LCS	Newly developed document

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