

SPECIAL ISSUE

Kenya Gazette Supplement No. 205 (National Assembly Bills No. 42)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2020

NAIROBI, 20th November, 2020

CONTENT

Bill for Introduction into the National Assembly—

	PAGE
The Excise Duty (Amendment) Bill, 2020	1015

**THE EXCISE DUTY (AMENDMENT)
BILL, 2020**

A Bill for

AN ACT of Parliament to amend the Excise Duty Act.

ENACTED by the Parliament of Kenya, as follows

PART I—PRELIMINARY

1. This Act may be cited as the Excise Duty (Amendment) Act, 2020.

Short title.

2. Paragraph 1 of the First Schedule to the Excise Duty Act, 2015, is amended in Part I by inserting the following tariff description immediately after the tariff description of imported glass bottle (excluding imported glass bottles for packaging of pharmaceutical products)—

Amendments of
the First Schedule
to No. 23 of 2015.

“Imported furniture of any kind used in offices, kitchen, bedroom and other wooden furniture of tariff number 9403.30.00, 9403.40.00, 9403.50.00 and 9403.60.00 respectively at 30% rate of excise duty.”

MEMORANDUM OF OBJECTS AND REASONS**Statement of Objects and Reasons for the Bill**

The objective of this Bill is to amend the Excise Duty Act, 2015 to increase taxation for wooden furniture of a kind used in offices Code/Tariff No. 9403.30.00, imported wooden furniture of a kind used in the kitchen H.S Code/Tariff No. 9403.40.00 and wooden furniture of a kind used in the bedroom H.S Code/Tariff No. 9403.50.00 30% per unit. The amendment will subject these items to the excise duty hence increase cost of sale and may eventually protect goods produced locally of similar nature.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill does not delegate any legislative powers, and it does not limit fundamental rights and freedoms.

Statement on how the Bill does concern county governments

The Bill does not concern county governments in terms of Articles 110(1)(a) of the Constitution.

Statement that the Bill is not a money Bill within the meaning of Article 114 of the Constitution

The Bill is a money Bill for the purposes of Article 114 of the Constitution, the enactment of this Bill will affect the imposition of taxes on the listed items.

Dated the 19th November, 2020.

JUDE NJOMO,
Member of Parliament.

Part I of the first Schedule which is proposed to amend

<i>Description</i>	<i>Rate of Excise Duty</i>
Fruit juices (including grape must), and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter.	KSh. 10 per litre
Food supplements.	10%
Cosmetics and Beauty products of tariff heading No. 3303, 3304, 3305 and 3307.	10%
Bottled or similarly packaged waters and other non-alcoholic beverages, not including fruit or vegetable juices.	KSh. 5 per litre
Beer, Cider, Perry, Mead, Opaque beer and mixtures of fermented beverages with non-alcoholic beverages and spirituous beverages of alcoholic strength not exceeding 10%.	KSh. 100 per litre
Powdered beer.	KSh. 100 per kg
Wines including fortified wines, and other alcoholic beverages obtained by fermentation of fruits.	KSh. 150 per litre
Spirits of undenatured ethyl alcohol; spirits liqueurs and other spirituous beverages of alcoholic strength exceeding 10%.	KSh. 200 per litre
Cigars, cheroots, cigarillos, containing tobacco or tobacco substitutes.	KSh. 12,624 per kg
Electronic cigarettes.	KSh. 3,787 per unit
Cartridge for use in electronic cigarettes.	KSh. 2,525 per unit
Cigarette with filters (Hinge lid and soft cap).	KSh. 3,157 per mille
Cigarettes without filters (plain cigarettes).	KSh. 2,272 per mille
Other manufactured tobacco and manufactured tobacco substitutes; "homogenous" and "reconstituted tobacco"; tobacco extracts and essences.	KSh. 8,837 per kg

<i>Description</i>	<i>Rate of Excise Duty</i>
Motor vehicles of tariff heading 87.02, 87.03 and 87.04 excluding— (i) locally assembled motor vehicles; (ii) school buses for use by public schools; (iii) motor vehicles of tariff no. 8703.24.90 and 8703.33.90; and (iv) imported motor vehicles of cylinder capacity exceeding 1500cc.	20%
Imported motor vehicles of cylinder capacity exceeding 1500cc of tariff heading 87.02, 87.03 and 87.04.	25%.
Motor vehicles of tariff no. 8703.24.90 and 8703.33.90.	35%
Motor cycles of tariff 87.11 other than motor cycle ambulances and locally assembled motor cycles.	KSh. 10,000 per unit
100% electric powered motor vehicles of tariff no. 8702.40.11, 8702.40.19, 8702.40.21, 8702.40.22, 8702.40.29, 8702.40.91, 8702.40.99 and 8703.80.00.	10%.
Imported sugar confectionary of tariff heading 17.04.	KSh. 20 per kg
Imported white chocolate, chocolate in blocs, slabs or bars of tariff Nos. 1806.31.00, 1806.32.00, 1806.90.00.	KSh. 200 per kg
Wines including fortified wines, and other alcoholic beverages obtained by fermentation of fruits.	KSh. 189 per litre
Spirits of undenatured ethyl alcohol; spirits liqueurs and other spirituous beverages of alcoholic strength exceeding 10%.	KSh. 253 per litre
Imported gas cylinders.	35%
Imported Glass bottles (excluding imported glass bottles for packaging of pharmaceutical products).	25%