



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**MOTION FOR LEAVE TO INTRODUCE A BILL TO AMEND SECTION 34
OF THE EAC CUSTOMS MANAGEMENT ACT TO EXTEND THE TIME
FOR REMOVAL OF BULK CONTAINERISED GOODS FROM A PORT OF
DISCHARGE**

*(Moved under Articles 49(1), 59(1) of the Treaty and Rule 26 of the Rules
of Procedure of the Assembly)*

WHEREAS the Customs law of the Community is provided for by Treaty, the Protocol on the Establishment of the East African Community Customs Union and is operationalised by the EAC Customs Management Act, 2004 and the Regulations made thereunder;

WHEREAS the management and administration of customs within the Community is regulated by the East African Community Customs Management Act which requires under section 34 that all cargo entering the region by aircraft, vessel or vehicle should be entered for warehousing, home consumption, transit or in export zones;

AND WHEREAS the entry of the cargo is required to be made within twenty-one days from the date of discharge of the vessel failing which the goods contained in the cargo begin to attract a charge or demurrage;

AWARE that all cargo coming into the region enters through designated ports but mainly through the ports of Dar es salaam in the United Republic of Tanzania and Mombasa in the Republic of Kenya;

CONCERNED that whereas the cargo containing small consignments can be warehoused or removed within the period of twenty-one days; this provision of not practicable for large and bulky consignments;

FURTHER CONCERNED that the limited time provided for entering and clearing bulk consignments is increasing the cost of doing business for East Africans engaged in the business of importing goods who are passing on the cost to the consumers of the imported goods;

CONVINCED that extending the time for removal of large consignments from the port of entry will eliminate demurrage charges on imported goods and allow bulky consignments to be stored or warehoused for longer periods to facilitate their clearance;

FURTHER CONVINCED that elimination of demurrage charges on large imported consignments will make the goods more affordable and will enable goods like fertilizers to reach farmers consistently without increases in price arising from demurrage which will promote food security in the region;

AWARE that under Article 59(1) of the Treaty any member may propose any motion or introduce any Bill in the Assembly;

Recognizing that rule 64 (5) of the Rules of Procedure of the Assembly requires that a Private Member's Bill shall be introduced first by way of Motion to which shall be attached the proposed draft of the Bill;

NOW THEREFORE BE IT RESOLVED BY THE ASSEMBLY AS FOLLOWS: -

THAT in accordance with Article 49(1) and 59(1) of the Treaty and Rule 64 (5) of the Rules of Procedure of the Assembly, the Assembly grants leave to HON. ABDIKADIR OMAR ADEN to introduce a Bill to amend section 34 of the East African Community Customs Management Act to extend the time for removal of bulk non-containerized goods from a port of discharge.

Moved by:

HON. ABDIKADIR OMAR ADEN

Seconded by:

HON. DR. ABDALLAH HASNUU MAKAME