

# 1540 COMMITTEE MATRIX OF KENYA

*The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.*

*The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.*

*The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.*

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

**State:**

**KENYA**

**Date of first report:**

**26 July 2005**

**Date of addendum:**

**31 March 2010**

**Date of Committee Approval**

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	If YES, relevant information (i.e. signing, accession, ratification, etc.)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 11 June 1970	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Pelindaba, Deposit 9 January 2001	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 13 April 2006	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 13 March 2002	

5	2005 Amendment to the CPPNM	X	Deposit 1 August 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 30 November 2000	
7	Chemical Weapons Convention (CWC)	X	Deposit 25 April 1997	
8	Biological Weapons Convention ( <b>BWC</b> )	X	Deposit 7 January 1976	
9	Geneva Protocol of 1925	X	Deposit 6 July 1970	
10	Other Conventions/Treaties	X	<p>State Party to Partial Test-Ban Treaty</p> <p>State Party to 14 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004):</p> <p>International Convention for the Suppression of Terrorist Bombings;</p> <p>International Convention for the Suppression of the Financing of Terrorism</p> <p>Cartagena Protocol on Biosafety (2003)</p> <p>International Health Regulations (2005)</p> <p>OAU Convention on the Prevention and Combating of Terrorism 2010)</p>	
11	International Atomic Energy Agency (IAEA)	X	Since 12 July 1965	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements	X	<p>Signed Declaration on Implementation of WCO 2005 SAFE Framework of Standards to Secure and facilitate Global Trade</p> <p>State party to the 2005 Revised Cotonou Agreement</p>	
14	General statement on non-possession of WMD	X	State reports that it does not own or possess any nuclear, chemical or biological weapons, nor does it have, and has never had, any nuclear, chemical or biological weapons production facility anywhere under its territory, nor transferred either directly or indirectly, any equipment for the production of such weapons. It does not provide any assistance to any non-State actor to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery.	
15	General statement on commitment to disarmament and non-proliferation			
16	General statement on non-provision of WMD and related materials to	X	State reports that it does not own or possess any nuclear, chemical or biological weapons, nor does it have, and has never had, any nuclear, chemical or biological weapons production facility anywhere under its territory, nor transferred either directly or indirectly, any equipment for the production of such weapons. It does not provide	

	non-State actors		any assistance to any non-State actor to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery.	
17	Other <sup>1</sup>	X	Member of: IMO WCO WHO IMF OIE INTERPOL World Bank Group IMO African Union (AU) COMESA Inter-Governmental Action Group against Money Laundering in West Africa (GIABA)	

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

**OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)**

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 14	X	X	X	CW: Firearms Act, Article 9  NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 14 [Any person who provides, facilitates or receives training in the “making or use of a weapon” commits an offence.	
2	acquire	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21		X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21 [accumulates, stockpiles or keeps a weapon, defined as: “"weapon" includes ... explosive, chemical, biological, nuclear or other lethal device.”]	
3	possess	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21  CW: Firearms Act, , Article III.26(1)(b)	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21  CW: Firearms Act, , Article III.26(1)(b)	
4	stockpile/store	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21	X	X	X	NW/CW/BW: Prevention of Terrorism Act No. 30 of 2012, Article 21	
5	develop	X			NW: Treaty of Pelindaba					

6	transport	?	X	?	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 22  <b>CW:</b> Firearms Act, Article 29.(1)	?	X	?	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 22, [A person who ... being the owner, charterer, lessee, operator, agent or master or pilot of a vessel or aircraft authorizes the use of that vessel or aircraft, for the purpose of committing an offence or organizing or facilitating the commission of an offence  <b>CW:</b> Firearms Act, Article 29.(2)	
7	transfer	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 11		X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 11 [providing a weapon is an offence]	
8	use	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Part I, Article 2  <b>NW:</b> Penal Code Article 235.  <b>CW:</b> Penal Code Article 236.  <b>BW:</b> Penal Code, Articles 186 and 341	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Part I, Article 2 [terrorist act includes those that involve (v) the use of firearms or explosives; or (vi) the release of any dangerous, hazardous, toxic or radioactive substance or microbial or other biological agent or toxin into the environment;]  <b>CW:</b> Penal Code Article 236.  <b>BW:</b> 1. Penal Code, Articles 186 and 341 (spreading infection)	
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Penal Code, Articles 20, 21, 22	X	X	X	<b>NW/CW/BW:</b> Penal Code, Articles 20, 21 and 22	
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012 Articles 5, 9, 13, 21, 25 Penal Code, Articles 20, 21, 22 Penal Code, Article 393.	X	X	X	<b>NW/CW/BW:</b> Penal Code, Articles 20, 21, 22 Penal Code, Article 393. Any person who conspires with another to commit any felony, or to do any act in any part of the world which if done in Kenya would be a felony, and which is an offence under the laws in force in the place where it is proposed to be done, is guilty of a felony	

11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Penal Code, Article 393. Prevention of Terrorism Act No. 30 of 2012, Article 5	X	X	X	<b>NW/CW/BW:</b> Penal Code, Article 393 Prevention of Terrorism Act No. 30 of 2012, Article 5	
12	abovementioned activities related to means of delivery <sup>2</sup>		X		<b>CW:</b> Firearms Act		X		<b>CW:</b> Firearms Act	
13	involvement of non- State actors in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 2	X	X	X	<b>NW/CW/BW:</b> Prevention of Terrorism Act No. 30 of 2012, Article 2	
14	Other									

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/778 (2009) Small Quantities Protocol (2009) Additional Protocol (2009)	X			NW: INFCIRC/778 (2009) Small Quantities Protocol (2009) Additional Protocol (2009)	
2	Measures to account for use	X	?	?	NW: INFCIRC/778 (2009) Small Quantities Protocol (2009) Additional Protocol (2009) Environmental Management and Coordination Act of 1999, Article 86  CW: Environmental Management and Coordination Act of 1999, Article 86  BW: Biosafety Act of 2009 [Part II.5 The Authority shall ensure that all appropriate measures are taken to avoid adverse effects on human health and the environment, which might arise from the contained use of a genetically modified organism]	?	?	?	NW: Environmental Management and Coordination Act of 1999  BW: Biosafety Act of 2009, Article 52 [Any person who ... (g) contravenes any of the provisions of this Act, commits an offence and is liable on conviction to a fine not exceeding twenty million shillings, or to imprisonment for a term not exceeding ten years, or both.]	
3	Measures to account for storage	X	?	?	NW: INFCIRC/778 (2009) Small Quantities Protocol (2009) Additional Protocol (2009)  Environmental Management and Coordination		?	?	CW: Environmental Management and Coordination Act of 1999  BW: Biosafety Act of 2009, Article 52	

					Act of 1999  <b>CW:</b> Environmental Management and Coordination Act of 1999, Article 86  <b>BW:</b> Biosafety Act of 2009, Article 18					
4	Measures to account for transport	?	?		<b>NW:CW:</b> Environmental Management and Coordination Act of 1999	?	?		<b>NW:CW:</b> Environmental Management and Coordination Act of 1999	
5	Other measures for accounting									
6	Measures to secure production	?	?	?	<b>NW:</b> Radiation Protection Act of 1982, Article 18 Radiation Protection (Safety) Regulations, 2010, Articles 4-7  <b>CW:</b> Environmental Management and Coordination Act 1999, Articles 92  <b>BW:</b> Biosafety Act of 2009, Article 18	?	?	?	<b>NW:</b> Environmental Management and Co-ordination Act 1999, Article 141 <sup>1</sup> Chief Radiation Protection Officer Radiation Protection Inspectorate  <b>CW:</b> Penal Code, Article 245 (negligence with poisonous substances) Environmental Management and Co-ordination Act 1999, Article 141 Standards and Enforcement Review Committee  <b>BW:</b> Biosafety Act of 2009, Article 52	
7	Measures to secure use	?	?	?	<b>NW:</b> Radiation Protection Act of 1982 Radiation Protection (Safety) Regulations, 2010, Articles 4-7  <b>CW:</b> Environmental Management and Coordination Act 1999, Articles 92-93 and 97-98	?	?	?	<b>NW:</b> Environmental Management and Co-ordination Act 1999, 141 Chief Radiation Protection Officer Radiation Protection Inspectorate  <b>CW:</b> Penal Code, Article 245 (negligence with poisonous substances) Environmental Management and	

<sup>1</sup> 141. Any person who—(a) fails to manage any hazardous waste and materials in accordance with this Act; (b) imports any hazardous waste contrary to this Act; (c) knowingly mislabels any waste, pesticide, chemical, toxic substance or radioactive matter; (d) fails to manage any chemical or radioactive substance in accordance with this Act; (e) aids or abets illegal trafficking in hazardous waste, chemicals, toxic substances and pesticides or hazardous substances; etc. commits an offence



					<b>BW:</b> Biosafety Act of 2009, Article 18				Co-ordination Act 1999 Article 141 Standards and Enforcement Review Committee  <b>BW:</b> Biosafety Act of 2009, Article 52	
8	Measures to secure storage	?	?	?	<b>NW:</b> Radiation Protection Act of 1982 Radiation Protection (Safety) Regulations, 2010, Articles 4-7  <b>CW:</b> Environmental Management and Coordination Act 1999  <b>BW:</b> Biosafety Act of 2009, Article 18	?	?	?	<b>NW:</b> Environmental Management and Co-ordination Act 1999 Article 141 Chief Radiation Protection Officer Radiation Protection Inspectorate  <b>CW:</b> Penal Code, Article 245 (negligence with poisonous substances) Environmental Management and Co-ordination Act 1999, 141 Standards and Enforcement Review Committee  <b>BW:</b> Biosafety Act of 2009, Article 52	
9	Measures to secure transport	?	?	?	<b>NW:</b> Radiation Protection Act of 1982  <b>CW:</b> Environmental Management and Coordination Act 1999, Article 92  <b>BW:</b> Biosafety Act of 2009, Article 18	?	?		<b>NW:</b> Environmental Management and Co-ordination Act 1999, 141 Chief Radiation Protection Officer Radiation Protection Inspectorate  <b>CW:</b> Environmental Management and Co-ordination Act 1999, Article 141 Standards and Enforcement Review Committee	
10	Other measures for securing									
11	Regulations for physical protection of facilities/materials/ transports	X			<b>NW:</b> Radiation Protection Act of 1982	?			<b>NW:</b> CCTV cameras, motion sensors, electric fencing, burglar proofing	

12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	?	<b>NW:</b> Radiation Protection Act of 1982, Article 11  <b>CW:</b> Firearms Act  <b>BW:</b> Biosafety Act of 2009 Article 18	X	X	?	<b>NW:</b> Chief Radiation Protection Officer Radiation Protection Inspectorate Radiation Protection Board  <b>CW:</b> Firearms Act  <b>BW:</b> Biosafety Act of 2009, Article 52	
13	Reliability check of personnel									
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the **BWC** Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Radiation Protection Act	X	Radiation Protection Board	
2	IAEA Safeguards Agreements	X	INFCIRC/778 (2009) IAEA Small Quantities Protocol (2009) IAEA Additional Protocol (2009)	X	INFCIRC/778 (2009) Small Quantities Protocol (2009) Additional Protocol (2009)	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA	X	Revised Supplementary Agreement Concerning the Provision of Technical Assistance by the IAEA (RSA) (1989)  African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) - Fourth Extension (2011)	X	Revised Supplementary Agreement Concerning the Provision of Technical Assistance by the IAEA (RSA) (1989)  African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) - Fourth Extension (2011)	
7	Additional national legislation/regulations related to nuclear materials including CPPNM					

8	Other					
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**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	National Authority: Government Chemists Department, Ministry of Public Health and Sanitation	X	National Authority: Government Chemists Department, Ministry of Public Health and Sanitation	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Annex 9 of the OPCW Annual Report on Implementation indicates Kenya has made 2 declarations	X	Annex 9 of the OPCW Annual Report on Implementation indicates Kenya has made 2 declarations	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Biosafety Act of 2009 (Article 5 established the National Biosafety Board .)	X	Biosafety Act of 2009, Article 52	
2	Other legislation/ regulations related to safety and security of biological materials	X	Four GE implementing regulations were released following the Biosafety Act 2009: Contained Use Regulation, 2011; Environmental Release Regulation, 2011; Import, Export, and Transit Regulation, 2011; and Labeling Regulation, 2012.	X	Four GE implementing regulations were released following the Biosafety Act 2009: Contained Use Regulation, 2011; Environmental Release Regulation, 2011; Import, Export, and Transit Regulation, 2011; and Labeling Regulation, 2012.  Established an Integrated Disease Surveillance and Response Programme	
3	Other	X	In 2012, Kenya integrated the International Health Regulations (2005) with the Integrated Disease Surveillance and Response system. This operational system is in line with the World Health Organization/Regional Office for Africa (WHO/AFRO)'s 1998 Integrated Disease Surveillance and Response Strategy (IDSR).  The Pest Control Products (Registration) (Amendment) Regulations, 2006 requires that the use of Genetically Modified Organisms (GMOs) and Living Modified Organisms as microbial or macrobial biopesticides shall comply with any other existing laws governing such organisms before an application is made to the Board.	X	In 2012, Kenya integrated the International Health Regulations (2005) with the Integrated Disease Surveillance and Response system. This operational system is in line with the World Health Organization/Regional Office for Africa (WHO/AFRO)'s 1998 Integrated Disease Surveillance and Response Strategy (IDSR).  The Pest Control Products (Registration) (Amendment) Regulations, 2006 requires that the use of Genetically Modified Organisms (GMOs) and Living Modified Organisms as microbial or macrobial biopesticides shall comply with any other existing laws governing such organisms before an application is made to the Board.	

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	<b>NW:</b> Customs and Excise Act 1978, Articles 3-5 and 12  <b>CW:</b> Customs and Excise Act 1978, Articles 3-5 and 12  <b>BW:</b> Customs and Excise Act 1978, Articles 3-5 and 12	X	X	X	<b>NW:</b> Joint Frontier Security and Intelligence Committees Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)  <b>CW:</b> Joint Frontier Security and Intelligence Committees Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)  <b>BW:</b> Joint Frontier Security and Intelligence Committees Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)	
2	Technical support of border control measures									
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	<b>NW:</b> Customs and Excise Act 1978,	X	X	X	<b>NW:</b> Kenya Revenue Authority	

				<p>Articles 3-5</p> <p><b>CW:</b> Joint Frontier Security and Intelligence Committees Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)</p> <p><b>BW:</b> Customs and Excise Act 1978, Articles 3-5</p>				<p><b>CW:</b> Kenya Revenue Authority</p> <p><b>BW:</b> Kenya Revenue Authority</p>		
5	Export control legislation in place	X	X	?	<p><b>NW:</b> Radiation Protection Act of 1982 Customs and Excise Act 1978, Articles 59-60</p> <p><b>CW:</b> Customs and Excise Act 1978, Articles 59-60 Firearms Act, Articles 27-28</p> <p><b>BW:</b> Customs and Excise Act 1978, Articles 59-60 Biosafety Act 2009, Article 23 [A person intending to export a genetically modified organism from Kenya shall provide the Authority with an advance written consent granted by a relevant authority of the country to which the genetically modified organism is destined, to the effect that such relevant authority has no objection to the intended exportation.]</p>	X	X	?	<p><b>NW:</b> Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)</p> <p><b>CW:</b> Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties) Firearms Act, Articles 27-28</p> <p><b>BW:</b> Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties) Biosafety Act 2009, Article 52 [Any person who: (a) ... imports or exports a genetically modified organism without the approval of the Authority ... commits an offence ....]</p>	
6	Licensing provisions			?	<p><b>BW:</b> Biosafety Act 2009, Article 23 [A person intending to export a genetically modified organism from Kenya shall provide the Authority with an advance written consent granted by a relevant authority of the country to which the genetically modified organism is destined, to the effect that such relevant</p>			?	<p><b>BW:</b> Biosafety Act 2009, Article 52 [Any person who: (a) ... imports or exports a genetically modified organism without the approval of the Authority ... commits an offence ....]</p>	



					authority has no objection to the intended exportation.]					
7	Individual licensing			?	<b>BW:</b> Biosafety Act 2009, Article 23			?	<b>BW:</b> Biosafety Act 2009, Article 52	
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X		?	<b>NW:</b> Radiation Protection Act, parts III and IV: Radiation Protection Board  <b>BW:</b> National Biosafety Authority.	X		?	<b>NW:</b> Radiation Protection Board  <b>BW:</b> National Biosafety Authority.	
12	Interagency review for licenses									
13	Control lists									
14	Updating of lists									
15	Inclusion of technologies									
16	Inclusion of means of delivery									
17	End-user controls									
18	Catch all clause									
19	Intangible transfers									
20	Transit control									
21	Trans-shipment control									
22	Re-export control									

23	Control of providing funds								
24	Control of providing transport services			?	<b>CW:</b> Customs and Excise Act 1978, Articles 14-15			?	<b>CW:</b> Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)
25	Control of importation	X	X	?	<b>NW:</b> Radiation Protection Act of 1982 Customs and Excise Act 1978, Articles 59-60  <b>CW:</b> Firearms Act, Articles 27-28  <b>BW:</b> Customs and Excise Act 1978, Articles 14-15 Biosafety Act, Article 20 {Application for importation: (1) A person shall not import into Kenya a genetically modified organism without the written approval of the Authority.) Note: Import of genetically engineered food is banned.	X	X	?	<b>NW:</b> Radiation Protection Act of 1982 Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties)  <b>CW:</b> Firearms Act, Articles 27-28  <b>BW:</b> Customs and Excise Act 1978, Articles 167-178 (powers) and 179-191 (penalties) Biosafety Act of 2009, Article 52 [Any person who ... (g) contravenes any of the provisions of this Act, commits an offence and is liable on conviction to a fine not exceeding twenty million shillings, or to imprisonment for a term not exceeding ten years, or both.]
26	Extraterritorial applicability								
27	Other								

## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Date of Request: 20 Jul 2005 and 17 Dec 2007  Technical assistance in the following areas: Training for police and customs officers in the area of WMD, incl. identification of WMD related material Detection equipment for police and customs officials	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X		
7	Work with and inform industry	X	University of Nairobi: professional experts are trained in radiation safety and security of radioactive materials RPB conducts awareness programmes on the need for radiation safety and security of radiation sources	
8	Work with and inform the public			
9	Point of Contact			
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.