



Exporting to **KENYA**

—
A guide for clients



#GlobalAmbition



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The **Covid-19** pandemic has created a new set of challenges for the Kenyan market.

Enterprise Ireland is responding to the global crisis by working with Irish exporters to help them avail of business response supports announced by the Government. These supports are designed to help businesses stabilise and adapt to the evolving situation, in preparation for getting back on the road to recovery.

[Visit the Covid-19 business response](#)



Going Global



**Kenya
Shilling (KES)**

Currency



52.57m¹

Population



\$1,817²

GDP per capita 2019



5.9%³

GDP Growth 2019



10.5%⁴

Unemployment



€30.8m⁵ +2%

Enterprise Ireland
Client Exports (2019)



Why Export to Kenya

Kenya is the largest and the most advanced economy in East and Central Africa; with strong growth prospects supported by an emerging, urban middle class and an increasing appetite for high-value goods and services making it a strong regional player. Kenya is open for business to well-positioned companies with strategic objectives of tapping into the growing potential of emerging markets in East and Central Africa⁶.

Kenya has a youthful population, a dynamic private sector, highly skilled workforce and improved infrastructure. The completion of the first phase of the Standard Gauge Railway (SGR) along with various port expansions and the upgrading of road networks across the country emphasise the Government's focus on improving transport infrastructure and the effort to facilitate the ease of doing business. In addition, the launching of the One Stop Border Posts (OSBPs) at various points along Kenya's borders have eased trade across the East African Community (EAC) and have enhanced the country's position as the gateway into East Africa.

In 2018, Kenya rose 19 places to 61 in the World Bank Ease of Doing Business 2019 rankings. This was largely due to the increased access to credit, protection of minority investors and ease of paying taxes by merging all permits into a single unified business permit. The report also ranked Kenya as the seventh most improved country globally.

In terms of technology, 88% of Kenyans have access to the internet as per reports from the Communication Authority of Kenya (CAK). The country enjoys the fastest mobile internet connectivity in Africa and is ranked 14th overall in the world. Thanks to the "National Broadband Strategy" launched in 2013, Kenya ranks above the rest of Sub-Saharan Africa with internet connection speeds averaging 12.2 Mbps.

Nairobi has been the cradle of technological innovation in Kenya and the centre of the country's thriving tech ecosystem, known as the "Silicon Savannah". Kenya's agile mobile banking system has created new market opportunities for digital entrepreneurs.

The country has the world's highest mobile-money penetration rate with more than half of adults using a mobile money platform. Kenya's technology ecosystem is significantly developed and provides a solid avenue for business and indeed socioeconomic development.

In line with Vision 2030, the Government of Kenya launched the Special Economic Zones (SEZ) Act in 2015. The overarching objectives of the SEZs are the following: to increase foreign direct investment (FDI), increase manufacturing and exports volumes and increase employment opportunities in the country.

It is intended that all goods manufactured in, and specified services provided from, a SEZ will enjoy incentives and be exempt from most Kenyan taxes and duties. In light of the new SEZ regime, it appears that the Government intends to stop issuing new Export Processing Zones (EPZ) licences, as it transitions to the SEZ model. So far, SEZs have been granted in the Uasin, Gishu and Kiambu counties and the Ministry of Industrialisation proposes setting up SEZs in Kisumu, Mombasa and Lamu; areas with fairly well developed transport infrastructure, youthful and educated populations and counties in need of industrialisation. Naivasha has also been proposed as a potential fourth zone owing to its proximity to geothermal power from Olkaria⁷.

Kenya has seen a vibrant, entrepreneurial rise in its young population due to youth unemployment rising to 38.9% according to the 2019 National Census. Young entrepreneurs are now establishing small micro-enterprises, developing software in the tech industry and exploring talents in art and music as an alternative to formal employment⁸.



Why Export to Kenya

(continued)

Key growth opportunities in Kenya that bring opportunities for Irish business are:



Agriculture is key to Kenya's economy. The sector contributed on average **35% of gross domestic product (GDP)**, with at least **50% of the total labour force employed in agriculture** in 2017. Agriculture is also responsible for most of the country's exports, accounting for up to **65% of merchandise exports**⁹.



Real Estate & Construction: Kenya has a well-developed building and construction industry with quality engineering, building and architectural design services. With a fast growing population, and increasing demand for affordable housing, opportunities exist in the construction of residential, commercial and industrial building.



Manufacturing: the sector has been supported by a vibrant domestic demand as well as the regional markets. A **wide range of opportunities for direct and joint-venture investments** exist in the manufacturing sector.



Tourism: Tourism is one of Kenya's most important industries, and **has strong linkages with transport, food production, retail and entertainment**. As one of the world's most popular business and leisure tourism destinations, investors have the opportunity to leverage several Government-led programmes to attract investment into the industry.



Financial Sector: Kenya's financial sector is the third-largest in Sub-Saharan Africa and it **makes a significant contribution to economic growth and job creation**. Through Vision 2030, the Government aims to create a "vibrant and globally competitive financial sector"¹⁰.



Infrastructure Development: Kenya envisages a massive upgrading and extension of the country's infrastructure. The Kenyan Government **is actively seeking bids to improve and expand infrastructure** networks, domestically and across East Africa to improve trade flows in the region.



Get Ready to Do Business in Kenya



Business culture

Business culture in Kenya is governed by Harambee, a concept involving mutual assistance, responsibility and community. Kenyan business people have a low tolerance for risk and decision-makers tend to proceed cautiously, committing only once all information has been considered.

The Kenyan concept of time is traditionally fluid. Most business people prefer to give a tentative time and venue for appointments which is later confirmed by their aides. Many business meetings in cities are likely to be run on time, but less so in some Government organisations and rural areas.

Regarding greetings, there is strong preference for handshakes and the use of surnames in conversations, while formal dress or business attire is preferred for all meetings.

Business success is closely connected to interpersonal success. It is vital to invest time in getting to know potential partners and understanding their culture and background. Building a relationship should always take priority over adhering to a deadline.



Travelling and geography

Nairobi is the business and financial centre of Kenya and East Africa. This is highlighted by the number of companies and organizations headquartered in the city. It is the perfect starting point for traveling to other parts of the country. It is centrally located with Jomo Kenyatta International Airport and a converging road network connecting it to most parts of the country. International airlines fly to Nairobi from Europe including Ireland, the United States, Asia, the Middle East, Australia among other places.

Nairobi is also the main airline hub to most other African countries and destinations. There are plenty of private and public transportation options for traveling between Nairobi and other Kenyan cities by public transportation, such as buses destined for country and long distance travel, minibuses, and the recently launched Standard Gauge Railway. Minibuses (also known as matatus) are the most common mode of transport used by Kenyans coming to Nairobi.

In light of global travel restrictions in 2020, we are advising all clients to regularly review the Government of Ireland advice at www.gov.ie/, travel advice from the Department of Foreign Affairs, business continuity advice from the Department of Enterprise, Trade and Employment and the World Health Organisation website.



Get ready to do business in Kenya

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Language

The official languages of Kenya are Swahili and English, with a very high standard of spoken and written English. English is the formal business language in the country although foreigners practicing a little Swahili is an advantage for forming better business relationship.



Export Processing Zones (EPZs) and Special Economic Zones (SEZ):

EPZs and SEZs serve as an entry into the market, primarily as investment incentives for Irish investors by providing vast market information as well as a base for the flow of goods in and out of the country. For more information visit:

<http://www.epzakenya.com/>

<http://www.invest.go.ke/special-economic-zones/>



ROUTES TO MARKET

Use of distributors with established networks:

The sourcing pool for potential distribution partners in Kenya is wide and as foreign companies are constantly emerging, the competition for competent local partners is high. As an Irish company, you must have a clear picture of the preferred and suitable business partner or distributor based on your target market, objectives and goals.

Local partners are recommended as companies that try to use one partner to cover all of Africa may struggle.

Agents

It is highly advisable for an Irish company to retain an agent or distributor who is resident in Kenya.

Key Growth Opportunities in Kenya



Information and Communications Technology (ICT)/Digital

Kenya has become the global technology hub of choice when it comes to attracting the strategic business activities of Information and Communications Technology (ICT) companies in emerging markets. Kenya is the regional leader in ICT in East and Central Africa and is considered as one of the top innovation hubs in Sub-Saharan Africa. Nairobi has been the cradle of technological innovation in Kenya, and the center of the country's thriving tech ecosystem.

In 2008, the Government approved the creation of Konza Technology City as the flagship for Kenya's Vision 2030 project. Vision 2030 aims to create a globally competitive and prosperous nation with a high quality of life by 2030. As part of this vision, Konza is expected to spur trade and investment as well as create thousands of jobs for young Kenyans in the ICT sector¹¹.

Health/Life Sciences

Kenya has set ambitious targets in this sector with the aim of achieving one of the Government's Big Four Agenda items; Universal Health Care (UHC) through maintaining a healthy workforce and by providing equitable, affordable and quality healthcare to the entire country by the year 2030.

In 2018, four counties (Nyeri, Makueni, Isiolo and Kisumu) were selected for the pilot phase in offering UHC access to the people of Kenya for sustainable development.

There is a demand for quality, affordable medical devices as more than 95% of medical equipment is being imported. Especially in the private sector, there is a rising demand for western standard therapeutic and diagnostic equipment. Private hospitals have invested in costly expansion projects over the past year in order to cater for an increasing demand for quality healthcare from the country's growing middle class.

Health and ICT are slowly becoming more interconnected in Kenya. It is the only African country with a comprehensive e-health strategy and the only country in the world with a multibillion US dollar turnover of mobile money payments which is linked to paying for healthcare services. Telemedicine, health management information systems, hospital information systems and e-Learning are also gaining increased attention.

There are new changes expected in the National Hospital Insurance Fund (NHIF) if a proposed Bill passes through parliament which will ensure public hospitals get added funding and constant oversight of service delivery by leaders across the country in this sector. <http://khf.co.ke/>

Agritech

Kenya has one of the highest agricultural productivity levels in the East African Community (EAC) region. 70% of the country's exports have an agricultural focus and the sector employs 85% of the rural workforce. The sector has continued to grow at almost 5% annually and has huge potential for further growth.

The sector accounts for 65% of the export earnings, and provides the livelihood for more than 80% of the Kenyan population and contributes to improving nutrition through production of safe, diverse and nutrient dense foods¹².

The dairy industry in Kenya is one of the largest and most sophisticated in Africa. With an estimated 5 billion litres of milk produced in the country, the dairy industry is an important sector in the economic and nutritional aspects of the Kenyan population .

Although the agricultural sector contributes approximately 35% of GDP and employs over 50% of the labour force, Kenya is still categorised as a



Key Growth Opportunities in Kenya

(continued)



food-deficit country. Hence, there is need to expand public spending on rural infrastructure including feeder roads, extension services, and promoting agricultural research, science and technology including biotechnology. It is critical to mobilize more financial resources to the agricultural sector as there is a need for more mechanization of the much segmented farming taking place today¹³.

Financial Services & FinTech

Kenya's financial sector is the third-largest in sub-Saharan Africa and it makes a significant contribution to economic growth and job creation. Through Vision 2030, the Government aims to create a vibrant and globally competitive financial sector¹⁴.

Financial institutions are increasingly utilising mobile application platforms and internet banking, hence there is increased efficiency in distribution, leading to increased uptake of services. The introduction of a loan product for SMEs, called Stawi Loan, in July 2019 is expected to further improve credit flow to the private sector and especially the smaller enterprises that have largely been under-served by the banking sector previously.

High financial inclusion and the competition between banks and telecoms has led to innovation and openness. Also, security is a major problem and this opens up a lot of opportunities for solutions in this space.

Financial service providers are diverse: they include 42 commercial banks, 49 insurance companies, 13 deposit taking microfinance banks, and 199 registered savings and credit cooperatives¹⁵.

Sectoral Successes

Opportunities in the ICT Sector

- i. Need for high security solutions
- ii. Capacity development - Investments to upgrade ICT networks, increase internet affordability and improve infrastructure in institutions of learning to create qualified ICT professionals
- iii. Agriculture - ICT solutions that will connect farmers with expertise, market information and intelligence
- iv. Telecommunication solutions - the mobile phone internet networks being the main access point for majority of population
- v. Infrastructure - The government has invested heavily on ICT infrastructure to spur investment and growth and opportunities exist in provision of last mile infrastructure services.

vi. Education - Development and deployment of new digital tools and training to deliver rapid gains to access education

Opportunities in the Health Sector

- i. Health equipment investments
- ii. Health products investments
- iii. Health technology in ICT solutions
- iv. Health sector financing
- v. Life science and pharmaceutical companies

Opportunities in the FinTech Sector

- I. ICT-enabled financial services - The expansion of the service channels in the sector provides opportunities in the client management solutions realm
- II. Financing - Partnerships with local financial institutions provide opportunities for consultancy in product development
- III. Risk management - The growth of the sector across various channels increases the need for solutions like cyber security, monitoring and record keeping
- IV. Regional integration - The local business environment is relatively stable and as such, Kenya's capital market is a stimulant for investments in the region



Things to Consider

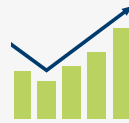


Market landscape

Kenya has a strategic location, a port and a coastline, a broad manufacturing base, the best business infrastructure in the region, an able and enterprising workforce and excellent resources for agriculture and tourism among others.

Kenya is growing into an outward investor, principally in the sectors of tourism, manufacturing, retail, finance and media, capitalising on its access to the East African Community (EAC) region. This is complemented by foreign companies based in Kenya that are using it as a regional base.

Kenya's membership of regional economic blocs, coupled with its strategic geographic position, makes the country a gateway to the EAC market (146 million people) and the Common Market for Eastern and Southern Africa (COMESA) with over 460 million people, which is about half of Africa's population.



Market trends

Kenya operates a liberal economy which promotes trade and investment. The country has abolished price and exchange controls. The Government has also instituted measures to sustain macro-economic stability. These economic policies continue to promote growth by providing a more secure environment for private-sector investment decisions.



Target market

The country is experiencing growing consumer demand for high-end products and services bolstered by a growing middle class. Kenya's new GDP base level as well as better data from the high-performing sectors of agriculture, manufacturing, telecommunications and real estate is now estimated at US\$70.53 billion which makes Kenya the ninth-largest economy in Africa. Kenya was also classified as a middle-income country in 2014 since its gross national income (GNI) per capita was US\$1,160 in 2014 which surpassed the World Bank threshold of US\$1,036 to qualify¹⁶.



Market segmentation

There is a rapid increase in population and an elevated consumer purchasing power due to the growth in GDP per capita. The concept of market segmentation is therefore key for investors to increase their market share and profitability in a fragmented market by defining and subdividing a large homogenous market into clearly identifiable segments having similar needs, wants, or demand characteristics to target different categories of consumers who perceive the full value of certain products and services differently from one another. This provides the opportunities for differentiation, focus and specific needs fulfillment for market retention.



Competition

Competition is a driver of productivity growth and provides significant benefits for the overall Kenyan market through lower prices and better quality goods and services. Irish companies should identify all viable competitors in the market, relevant market attributes, and their market share.

Kenyan consumers benefit from a larger quantity of cheap Chinese products in price sensitive markets. However, policy makers fear that local producers are suffering from competition based on

Things to Consider

(continued)



the cheap Chinese goods stating that such imports are negatively impacting Kenya's prospects of industrialization and, due to increased customer awareness, there is a growing need for quality goods and services.



Market research resources

Enterprise Ireland Market Advisers offer clients tailored solutions to accelerate their company's exports by assessing opportunities, routes to market, finding distribution partners, assessing competition, and identifying potential customers.

The Kenya Investment Authority (KenInvest) facilitates the implementation of new investment projects through investment promotion, investor facilitation providing accurate market information and aftercare services. For more information, see <http://invest.go.ke>

The United Nations Conference on Trade and Development (UNCTAD) board in Kenya acts as a permanent intergovernmental body to maximize trade, investment and development opportunities in Kenya among other developing countries.



Customer service

Huge efforts have gone into improving the customer experience among several businesses in Kenya. In the last two decades, thousands of staff have been trained in basic customer service skills and attitudes.

According to a recent industry benchmark report on customer service culture in Kenya, a majority of customers cited caring, friendly and customer-centric staff, quality, convenience and accessibility as the overall culture in most firms. Delays in serving customers was their main concern¹⁷.



Boots on the ground

Due to the diversity of the Kenyan market and culture, it is vital for a company to partake in a fact-finding trip to test and understand the country's business culture, customs, market needs, and the legal framework which will ultimately help companies better tailor their concept for investing in and exporting to the specific market.

Having boots on the ground is very important within the Kenyan market as buyers prefer knowing there is service, support and after-sales readily available locally, or alternatively, a local customer contact for support services.



Legal & Taxation Information



Visa requirements

The type of visa an Irish passport holder must have relates to the purpose of their visit. For more information on the types of visa immigration services, see <https://immigration.ecitizen.go.ke/index.php?id=7>



Customs information

The Customs Services Department under the Kenya Revenue Authority has the primary function of collecting and accounting for import duty and VAT on imports. Before entering the market, review the customs requirements and regulatory controls around your product or service.

The negotiations for an Economic Partnership Agreement (EPA) with the EU and the East African Community

(Burundi, Kenya, Rwanda, Tanzania, and Uganda) was finalised in 2014 and Kenya signed it in September 2016, and ratified it. The EU-EAC EPA covers trade in goods and development cooperation and also contains a chapter on fisheries, mainly to reinforce cooperation on the sustainable use of resources. The agreement provides for further negotiations on services and trade-related rules in the future¹⁸.

Examples of Non-Tariff Barriers to Trade include:

Non-tariff barriers include the requirement to obtain a Certificate of Conformity from a Kenya Bureau of Standards appointed pre-export verification of conformity (PVoC) partner and the obligation to obtain an Import Standards Mark (ISM) for a list of sensitive products imported into Kenya.

There are Strict & Complex Regulations while importing goods in Kenya which include Pre-shipment inspection, Price control measures, Licences, quotas, prohibition and other quantity control measures, Charges, taxes and other para-tariff measures, Anti-competitive measures among others¹⁹.



Intellectual Property Rights (IPR)

Kenya is a member of the World Intellectual Property Organization (WIPO) and abides by its conventions and protocols, as well as the WTO agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the African Regional Industrial Property Organization. Kenya's national Intellectual Property (IP) legislative framework is divided into copyright law, trade mark law, industrial property law and anti-counterfeiting law.



Employment

In Kenya, employment is governed by the general law of contract, as much as by the principles of common law. Employment particulars include;

- A written contract of service stating particulars of employment that may be given in installments but should not be given later than two months after the beginning of the employment.
- It should include the entitlement to annual leave, including public holidays, and holiday pay (the particulars given being sufficient to enable the employee's entitlement, including any entitlement to accrued holiday pay on the termination of employment, to be precisely calculated). Every employee is entitled to no less than 21 working days of annual leave with full pay according to the Employment Act²⁰.



Legal & Taxation Information

(continued)



Corporate structures

Kenya has enjoyed a steadily improving environment for foreign direct investment (FDI). KenInvest, the country's official investment promotion agency, is viewed favorably by international investors. KenInvest's mandate is to promote and facilitate investment by assisting investors in obtaining the licenses necessary and has developed an online database known as eRegulations, which is designed to provide investors and entrepreneurs with full transparency on investment-related regulations and procedures in Kenya.

The following are the strategies that foreign companies can consider as a route to market:

- Establishing a joint venture
- A merger / acquisitions
- Creating a strategic alliance or partnership

Foreign owners intending to register their company without a Kenyan partner will be required to provide a KRA PIN for the application.

Limited liability companies are the entities most favoured by foreign investors. These offer advantages similar to those offered by corporate bodies in other countries. A shareholder's liability for any deficiency on winding up is usually limited to the amount unpaid for the issued and called-up capital on the shares issued to the investor. Shares may be transferred without affecting the continuity of the business²¹.



Tax structures

The Kenyan tax system has various taxes both direct and indirect including income tax, Value Added Tax (VAT), and customs and excise duties, which are all collected by the Kenya Revenue Authority (KRA).

Direct taxes include Pay As You Earn (PAYE), corporate tax, withholding tax and VAT.²².



Helping You Win in Kenya



Enterprise Ireland's agency in Kenya assist companies in the following ways:

Pre-visit support

- Provide information on the business climate, legal framework and investment opportunities in the market. A market survey can show you whether there is a need or demand for the products and services being offered.
- Evaluate the market demand for your product or service to validate its success in the country.
- Provide various market entry strategies to find the most effective mode to ensure market penetration.
- Collate various relevant market information resources.
- Provide contacts and liaison with other relevant agencies with expertise such as legal, recruitment, public relations and taxation.

In-market support

- Introductions to key stakeholders in the market that includes buyers and decision-makers.
- Assist our clients in the identification and selection process of potential partners.
- Facilitate visits to with relevant government bodies.
- Follow-up with clients at regular intervals to assist in smooth product launches/ project implementation and provide solutions to any concerns.

International trade events programmes

- International trade events
- Inward buyers' missions to Ireland
- Group stands at international trade fairs
- Overseas trade missions
- Market study visits
- Networking events with market contacts

As an introduction to the Kenyan market, we can organise a visiting programme where you can meet with relevant associations, potential partners or customers and other key business people within the sector.



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Business Ireland Kenya (BIK)

The Business Ireland Kenya (BIK) network was established in December 2013 as part of the Business Ireland Africa to provide networking opportunities for BIK members, to better inform each other about the business environment, to provide members with contacts and information, and to establish links with similar business networks in Kenya.

The network seeks to increase business activity and trade levels between Ireland and Kenya through a structured platform that supports business-to-business engagements, networking opportunities and information sharing.

For more information, see <http://www.businessireland.co.ke/>



Riailtas na hÉireann
Government of Ireland



Ireland's EU Structural and
Investment Funds Programmes
2014 - 2020

Co-funded by the Irish Government
and the European Union



European Union
European Regional
Development Fund

Ireland's European Structural and Investment Funds Programmes 2014-2020.
Co-funded by the Irish Government and the European Union.

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