Policy Guide for EPR in Kenya



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The guidance has been developed to support private sector actors in understanding and implementing Kenya's Extended Producer Responsibility (EPR) framework. It provides an overview of the applicable legal and regulatory framework, institutional landscape, compliance requirements, and practical implementation approaches to assist businesses in meeting their EPR obligations while contributing to the country's transition towards a circular economy.

AHK Services Eastern Africa Ltd. extends its sincere appreciation to GreenForest Solutions GmbH for its technical support in the development of this publication. Their expertise and collaboration have been instrumental in strengthening the quality and practical relevance of this guidance.

We also express our gratitude to the representatives of government institutions, Producer Responsibility Organisations (PROs), private companies, waste management and recycling enterprises, and other stakeholders who generously shared their knowledge, experiences, and perspectives during the stakeholder consultation process. Their valuable contributions have helped ensure that this guidance reflects Kenya's evolving EPR landscape and addresses the practical needs of businesses operating within it.

Finally, we acknowledge all individuals and organisations whose support and engagement made the development of this publication possible. It is our hope that this guidance will serve as a practical resource for companies seeking to achieve compliance, strengthen environmental stewardship, and contribute to sustainable resource management in Kenya.

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Abbreviations

AHK	Delegation of German Industry and Commerce / AHK Services Eastern Africa Ltd.
BMUKN	German Federal Ministry for the Environment, Climate Action, Nature Conservation and Nuclear Safety
CBO	Community-Based Organization
CGK	Clean Green Kenya
DIEA	Danish Industries East Africa
EABC	East African Business Council
EAC	East African Community
EEE	Electrical and Electronic Equipment
ELV	End-of-Life Vehicle
EMCA	Environmental Management and Co-ordination Act
EPR	Extended Producer Responsibility
EPROK	Electronic-Waste Producer Responsibility Organization of Kenya
EXI	Export Initiative for Environmental Protection
GOGLA	Global Off-Grid Lighting Association
GFS	GreenForest Solutions GmbH
HAPROK	Hazardous Waste Producer Responsibility Organization of Kenya
ICT	Information and Communication Technology
IETC	International Environmental Technology Centre
KAM	Kenya Association of Manufacturers
KEBS	Kenya Bureau of Standards
KEPRO	Kenya Extended Producer Responsibility Organization
KENTRADE	Kenya Trade Network Agency
KEREA	Kenya Renewable Energy Association.
KES	Kenyan Shilling
KRA	Kenya Revenue Authority

MRF	Materials Recovery Facility
NEMA	National Environment Management Authority
NEMC	National Environment Management Council (Tanzania)
OECD	Organisation for Economic Co-operation and Development
PAKPRO	Packaging Producer Responsibility Organization
PET	Polyethylene Terephthalate
PETCO	PET Recycling Company Kenya
PRO	Producer Responsibility Organization
SMEs	Small and Medium-sized Enterprises
SWMA	Sustainable Waste Management Act
TCRA	Tanzania Communications Regulatory Authority
UNEP	United Nations Environment Programme
USD	United States Dollar
WEEE	Waste Electrical and Electronic Equipment

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1. Introduction

The development of this policy guide adopted a mixed-method approach combining desk research with stakeholder consultations to provide a comprehensive overview of Kenya's Extended Producer Responsibility (EPR) framework. The desk review examined relevant legislation, regulations, policy documents, implementation guidelines, academic literature, industry reports, and publications from national and international organizations. Key references included the Sustainable Waste Management Act, 2022, the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024, as well as guidance and analytical publications from organizations such as the OECD and the World Bank. The review also considered international EPR best practices and circular economy approaches to provide context for Kenya's evolving regulatory framework and to identify elements relevant for companies seeking to comply with national EPR requirements.

To complement the desk review, semi-structured stakeholder consultations were conducted over a three-week period between May and June 2026 to validate findings and capture practical implementation experiences. In total, interviews were held with five German companies operating in Kenya, five waste recyclers and aggregators, four Producer Responsibility Organizations (PROs), and representatives from key public institutions responsible for environmental regulation, standards, and national statistics. The consultations focused on regulatory implementation, producer obligations, compliance and reporting requirements, operational challenges, collection and recycling systems, financing mechanisms, implementation risks, and opportunities to strengthen Kenya's circular economy. The findings from the document review and stakeholder consultations were analysed thematically and used to inform the structure and content of this policy guide, ensuring that it reflects both the current regulatory framework and practical experiences from key stakeholders. The resulting guide is intended to support German companies and other international businesses in understanding Kenya's EPR requirements, compliance obligations, institutional landscape, and opportunities for engagement within the country's developing circular economy.

1.1. Overview of Extended Producer Responsibility

Rapid growth in consumption, urbanisation, and industrial activity have increased waste generation globally, placing significant pressure on waste management systems, particularly in developing countries[1]. By 2050, global municipal solid waste generation is expected to reach 3.4 billion tonnes, placing increasing pressure on urban waste management systems. The World Bank estimates that over 90% of waste in low-income countries is openly dumped or burned, accounting for 91% of global open dumping[2]. This leads to severe environmental degradation, including soil and water contamination,

[1] Compagnoni, M., & Stadler, M. (2021). *Growth in a circular economy (No. 145).* University of Tübingen Working Papers in Business and Economics. Retrieved 26.6.2026, from https://www.econstor.eu/bitstream/10419/235513/1/176110229X.pdf

[2]World Bank Atlas, (2018). *What a waste: an updated look into the future of solid waste management*. Retrieved 20.6.2026, from https://www.worldbank.org/en/news/immersive-story/2018/09/20/what-a-waste-an-updated-look-into-the-future-of-solid-waste-management

harmful emissions, and increased disease vectors. In Kenya, inadequate collection, recycling, and disposal infrastructure has contributed to growing volumes of unmanaged waste[3].

EPR has emerged globally as a policy tool to address these challenges by shifting responsibility for post-consumer waste management from governments and taxpayers to producers[4]. Germany pioneered this approach with the Packaging Ordinance (Verpackungsverordnung) of 1991, the first EPR system implemented anywhere in the world, making manufacturers and distributors responsible for their packaging from production through to environmentally sound disposal[5]. Originally focused on packaging, EPR now covers diverse waste streams such as electronics, batteries, vehicles, tyres, textiles, and hazardous products. By promoting resource efficiency, waste recovery, and producer accountability, EPR has become a key instrument supporting the transition to a circular economy.

Kenya formally operationalized EPR through the Sustainable Waste Management Act, 2022 and the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024[6][7]. The framework requires producers (See definition under 2.1) to take responsibility for the waste generated by products they place on the Kenyan market.

The regulations pursue three primary objectives:

i. Promote environmentally responsible product management throughout the product lifecycle.
ii. Hold producers accountable for post-consumer waste.
iii. Implement the polluter-pays principle by ensuring producers bear the environmental costs associated with their products.[8]

1.2. Scope of EPR: Coverage of All Regulated Waste Streams in Kenya

In Kenya the law specifically categorizes and targets these core waste streams for mandatory EPR, including but not limited to:

[3] Ministry of Environment and Forestry, Republic of Kenya (2021). *National Sustainable Waste Management Policy*. Retrieved 20.6.2026, from https://repository.kippra.or.ke/server/api/core/bitstreams/103f83dc-97ab-45e7-8c4b-ed1214102bba/content

[4] OECD (2024), OECD Economic Outlook, Volume 2024 Issue 1: An unfolding recovery, OECD Publishing, Paris, Retrieved 25.6.26, from https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/05/oecd-economic-outlook-volume-2024-issue-1_1046e564/69a0c310-en.pdf

[5] Prevent Waste Alliance. (2023). Country report – Germany. Retrieved 18.07.2026, from https://prevent-waste.net/wp-content/uploads/2023/06/Germany.pdf.

[6] *Sustainable Waste Management Act, No. 31 of 2022 (Kenya).* Kenya Gazette Vol. CXXIV—No. 158, 12 August 2022. National Council for Law Reporting (Kenya Law). Retrieved 6.07.2026, from https://new.kenyalaw.org/akn/ke/act/2022/31/eng@2022-12-31

[7] *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Legal Notice No. 176 of 2024, Kenya). Kenya Gazette Vol. CXXVI—No. 213, 6 December 2024. National Council for Law Reporting (Kenya Law). Retrieved 06.07.2026, from https://new.kenyalaw.org/akn/ke/act/ln/2024/176/eng@2024-12-06

[8] *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Legal Notice No. 176 of 2024, Kenya). Kenya Gazette Vol. CXXVI—No. 213, 6 December 2024. National Council for Law Reporting (Kenya Law). Retrieved 06.07.2026, from https://new.kenyalaw.org/akn/ke/act/ln/2024/176/eng@2024-12-06

Table 1: List of Products and Packaging Subject to EPR Compliance Scheme [9]

No.	Product Category	Description
1.	Non-hazardous packaging	Most common EPR category globally, Includes all emptied packaging for non-hazardous products across industrial, commercial, transport, household, and service sectors. Covers plastics, paper/carton, glass, metals, and composites such as liquid packaging board.
2.	Electronic and electrical equipment (WEEE/ e-waste), thermostats, cables, and batteries/accumulators	Covers equipment that relies on electricity or electromagnetic fields, including related components, cables, and all battery/energy storage units.
3.	Hazardous products' packaging	Includes packaging for pharmaceuticals, cosmetics, oils and lubricants, industrial chemicals, paints, veterinary products, agrochemicals, solvents, agricultural films, and treated wood.
4.	Textiles and shoes	Covers products made of at least 80% textile fibers, including clothing, footwear, linens, upholstery, carpets, curtains, mattresses, wigs, and synthetic hair products.
5.	End-of-life vehicles (ELVs), locomotives, automobiles and tyres	Encompasses all motorized and non-motorized vehicles across land, water, and air, as well as their tyres.
6.	Non-packaging product made of plastics, paper/carton, metals, and composites	Covers products not included in Categories 1–4, such as plastic pipes, non-wooden/non-metallic furniture, printed materials, diapers, sanitary towels, and other composite items.

This broad scope reflects Kenya's intention to gradually establish producer responsibility across most major waste streams entering the national market.

1.3. Evolution of EPR Policies Regionally (EAC) and Locally

Regionally

EPR adoption across EAC Partner States has been uneven but is accelerating, with Kenya and Rwanda leading the region's transition to producer-responsibility frameworks.

[9] The Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024. (2024). *First Schedule: List of Products and Packaging Subject to Extended Producer Responsibility Compliance Scheme*. Kenya Gazette Supplement, Legal Notice No. 176 of 2024. Retrieved 25.06.2026, from https://nema.go.ke/extended-producer-responsibility-epr/

Rwanda

Rwanda is widely recognised as the first EAC country and one of the first in Africa to enact a comprehensive plastic ban, doing so in 2008 under a law prohibiting plastic bags.[10] The ban was significantly strengthened in 2019 under Law No. 17/2019[11], which extended the prohibition to all forms of single-use plastics including straws, cutlery, and food containers. Rwanda's approach blends elements of EPR through producer and distributor responsibility for end-of-life plastic disposal. Rwanda has additionally developed a National E-Waste Management Policy that provides for legislation on e-waste, drawing on international conventions including the Basel Convention, the Stockholm Convention on Persistent Organic Pollutants, and the Vienna Convention for the Protection of the Ozone Layer.

Uganda

Uganda enacted the National Environment Act in 2019, which incorporates waste hierarchy principles supporting reduction, reuse, and recycling. Uganda is in the process of developing dedicated e-waste policy. Ugandan stakeholders including GASP Uganda have been involved in EAC-level dialogue on harmonising EPR policies across the bloc, participating in initiatives organised by the East African Business Council (EABC) and the Kenya Extended Producer Responsibility Organisation (KEPRO).[12]

Tanzania

Tanzania has regulations addressing plastic waste and hazardous materials under its national environmental framework, and its National Environment Management Council (NEMC) engages with regional EPR harmonisation discussions. PETPro Tanzania has emerged as a private sector producer responsibility organisation active in regional dialogues. Tanzania participates in EAC-level harmonisation discussions and has been represented in capacity-building workshops on EPR conducted under UNEP's International Environmental Technology Centre (IETC). Additionally, they have an eco-levy for Telecommunication equipment which is managed by the Telecommunication Regulatory Authority (TCRA).

Regional Harmonisation Efforts

Recognizing the risk of policy fragmentation whereby divergent national EPR schemes create trade barriers or regulatory roadblocks, the EAC has increasingly moved toward harmonisation of EPR policies. EABC, KEPRO, and Danish Industries East Africa (DIEA) co-organized a regional webinar in June 2024 entitled 'Strengthening and Harmonising EPR Policies in EAC,' bringing together national producer associations, national environment management agencies (NEMA Kenya, NEMC Tanzania,

[10] Rwanda. (2019). Law No. 17/2019 of 10 August 2019 relating to the prohibition of manufacturing, importation, use and sale of plastic carry bags and single-use plastic items. Retrieved 08.07.2026, from https://rwandalii.org/akn/rw/act/law/2019/17/eng@2019-09-23

[11] Rwanda. (2019). Law No. 17/2019 of 10 August 2019 relating to the prohibition of manufacturing, importation, use and sale of plastic carry bags and single-use plastic items. Retrieved 08.07.2026, from https://rwandalii.org/akn/rw/act/law/2019/17/eng@2019-09-23

[12] Uganda. (2019). *The National Environment Act, 2019 (Act No. 5 of 2019).* National Environment Management Authority. Retrieved 08.07.2026, from https://nema.go.ug/sites/all/themes/nema/docs/National%20Environment%20Act,%202019%20(1).pdf

NEMA Uganda), and private sector stakeholders to identify common standards and reduce regulatory divergence.

Kenya

By 2019, Kenya had no mandatory EPR system, so two voluntary take-back organisations applied EPR principles to select materials: PETCO and Clean Green Kenya (CGK). PETCO Kenya, registered in December 2017 and operational from June 2018, focused solely on PET beverage bottles. Through industry self-regulation, it aimed to create value for post-consumer PET, encourage a shift in consumer and industry behaviour toward recycling, and boost employment in the recycling sector. By 2019, it had 14 active members, funded through membership fees and grants negotiated individually with retailers, plant owners, and bottlers.

Clean Green Kenya, founded in 2017 as an NGO by Alternative Energy Systems Limited, RAMCO, and King Plastics, sought to build a circular economy, raise awareness of proper waste management, and serve as an information hub linking collectors, recyclers, and manufacturers across industries. It was funded through a monthly EPR fee based on members' plastic production, using a pricing model designed to incentivise the collection of post-consumer waste. By 2019, CGK had 22 registered companies, including manufacturers, recyclers, and end consumers, whose contributions funded the collection and sorting of waste plastics at dumping sites, pre-processing activities such as transport, cleaning, and compacting, and educational and capacity-building campaigns in schools.

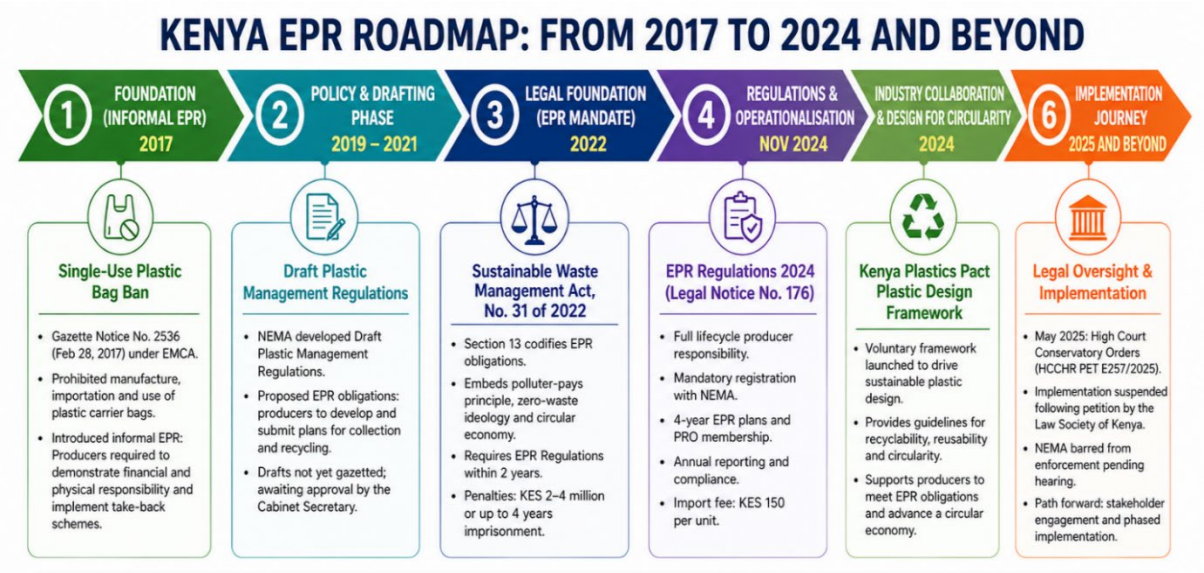
The Kenya Plastics Action Plan 2019[13] argued that Kenya's first step toward a functioning EPR system was to build a practical, well-aligned framework grounded in shared understanding and coordinated planning across the private sector, one robust enough to work effectively yet simple and quick to implement. It stressed the importance of involving all stakeholders across the supply chain, setting clear and unambiguous obligations for responsible companies, and ensuring a fair, level playing field for all participants. Since passing formal legislation would take time, the report recommended first establishing a voluntary Producer Responsibility Organisation, potentially supported by an existing business membership organisation such as the Kenya Association of Manufacturers or the Kenya Private Sector Alliance, through which companies could organise themselves, gain early practical experience, and negotiate collectively with policymakers on the design of a mandatory system, with participation becoming compulsory once the relevant law came into force.

[13] Kenya Private Sector Alliance. (2022). *Kenya Plastic Action Plan*. Sustainable Inclusive Business. Retrieved 08.07.2026, from https://sustainableinclusivebusiness.org/wp-content/uploads/2022/05/KENYA-PLASTICS-ACTION-PLAN.pdf

1.4. Legal and Regulatory Framework Governing EPR in Kenya

An overview of Kenya EPR legal and regulatory frameworks is shown in the figure below.

Figure 1: Kenya EPR roadmap[14]



On 28 February 2017, Cabinet Secretary for Environment and Natural Resources, acting under the Environmental Management and Co-ordination Act (EMCA) Cap. 387, issued Gazette Notice No. 2536, banning the manufacture, importation, and use of plastic carrier bags in Kenya, with only narrow exceptions for industrial packaging.[15] Violations carry penalties of up to KES 4 million (~USD 31,000) or four years imprisonment, making it one of the world's strictest of such bans. Though informal and administrative rather than statutory, the ban introduced the polluter-pays principle and the concept of EPR to Kenya, requiring producers to demonstrate take-back schemes as a condition for continued packaging clearance.

A follow-up draft regulation in 2018 sought to formalise this by requiring exempted industrial users to register, submit recycling plans, report annually, and use at least 30% recycled content, backed by fines of KES 2-4 million and up to four years imprisonment. However, these draft regulations were never gazetted and did not enter into force.

Kenya's most significant legislative step came with the Sustainable Waste Management Act No. 31 of 2022 (gazetted 12 August 2022), establishing a comprehensive legal framework for waste management grounded in the constitutional right to a clean environment.[16]

It rests on five principles: polluter-pays, zero-waste, circular economy, precaution, and public participation. Section 13 forms the core of the EPR framework, obliging every producer to manage the environmental impact of their products, either individually or through collective compliance schemes,

[14] Own figure

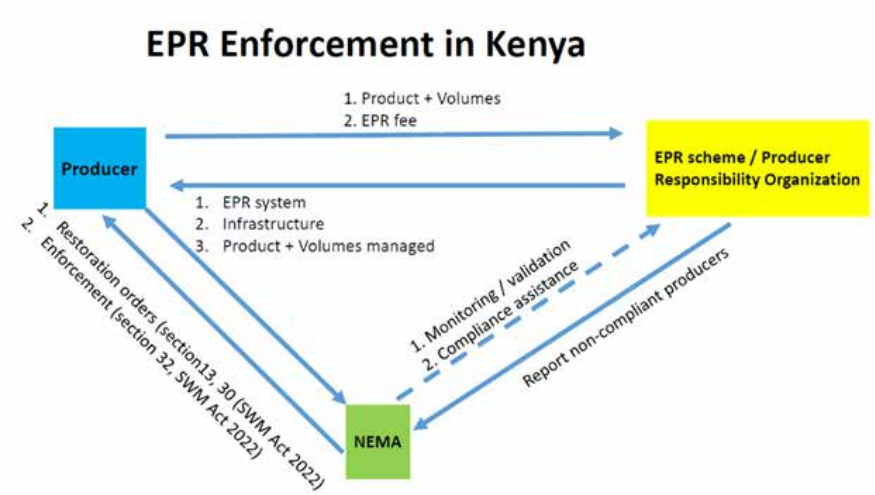
[15] National Environment Management Authority. (2017). *Ban on plastic carrier bags* (Gazette Notice No. 2536). Retrieved 09.07.2026, from https://nema.go.ke/ban-on-plastic-carrier-bags/

[16] Republic of Kenya. (2022). *Sustainable Waste Management Act, No. 31 of 2022* (Kenya Gazette Supplement No. 121). Retrieved 09.07.2026, from https://new.kenyalaw.org/akn/ke/act/2022/31/eng@2022-12-31

with the same KES 2–4 million/four-year penalty range for violations. The Act also created an institutional structure: NEMA as the main regulator, a Waste Management Council for policy coordination chaired by the Cabinet Secretary, county governments tasked with building Materials Recovery Facilities (MRFs), and a complaints committee for dispute resolution.

The framework was finally operationalised through the Sustainable Waste Management (EPR) Regulations, 2024, gazetted on 4 November 2024, which took full effect on 4 May 2025 after a six-month industry registration window, marking Kenya's shift from voluntary and administrative EPR measures toward a binding legal system.[17]

Figure 2: EPR enforcement structure in Kenya[18]



The Regulations apply broadly to all producers, importers, and brand owners who introduce goods, products, or packaging into the Kenyan market through manufacturing, importing, converting, filling, refilling, repackaging, or rebranding. Products subject to EPR compliance include:

- Plastic packaging and bags (including film up to 250 microns) Glass, aluminium, and paper/carton packaging
- Electronic and electrical waste (e-waste) and batteries
- End-of-life vehicles
- Diapers and sanitary towels
- Hazardous chemical containers
- Imported goods with any of the above packaging types

An overview of the categorization can be found below.

[17] National Environment Management Authority. (2024). *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Kenya Gazette Supplement No. 196, Legal Notice No. 176).

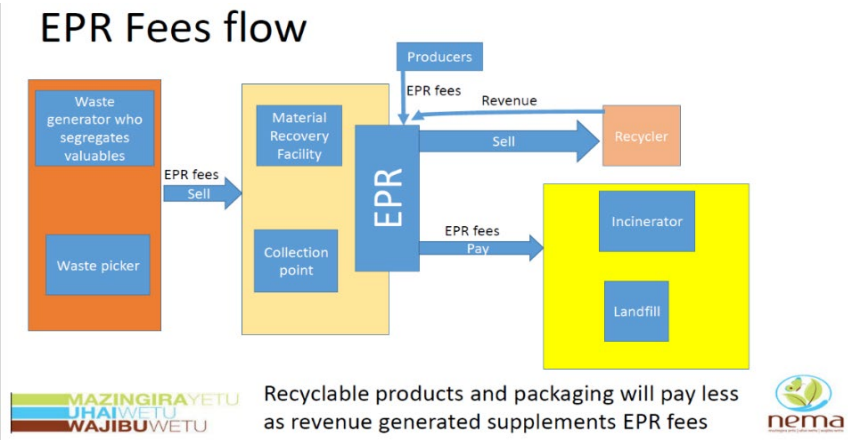
[18] NEMA. (2024). EPR Implementation Model for Kenya. Retrieved 30.06.2026, from https://ad.nema.go.ke/wp-content/uploads/2024/10/EPR-Implementation-model-for-Kenya.pdf

Figure 3: List of products and packaging subject to EPR compliance in Kenya[19]



EPR fees are paid by obliged producers into the scheme. Waste generators and waste pickers segregate valuable materials and sell them onward, either at collection points or to Material Recovery Facilities. From there, recyclable materials are sold to recyclers. Non-recyclable waste, by contrast, moves to incinerators or landfills, with EPR fees applied to fund this disposal pathway rather than generating offsetting revenue. The structure creates a financial incentive embedded in the fee model itself: recyclable products and packaging pay less, since the revenue generated through the recycling and resale of materials supplements the EPR fees collected, while non-recyclable products carry the full cost of treatment or disposal without an equivalent revenue offset.

Figure 4: EPR fees flow in Kenya[20]



[19] *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Legal Notice No. 176 of 2024, Kenya). Kenya Gazette Vol. CXXVI—No. 213, 6 December 2024. National Council for Law Reporting (Kenya Law). Retrieved 20.06.2026, from https://new.kenyalaw.org/akn/ke/act/ln/2024/176/eng@2024-12-06

[20] NEMA. (2024). EPR Implementation Model for Kenya. Retrieved 30.06.2026, from https://ad.nema.go.ke/wp-content/uploads/2024/10/EPR-Implementation-model-for-Kenya.pdf

2. Integration of Key Actors in the EPR Value Chain

2.1. Producers' definition

The Sustainable Waste Management Act No. 31 of 2022 (SWMA), defines "producer" means "an entity that introduces goods, products and packaging into the country using authorised means by manufacturing, importing, converting, filling, refilling, repackaging or rebranding."[21]

Form C of the Second Schedule operationalises the producer definition into seven registrable sub-categories: manufacturer, importer, refiller, repackager, rebrander, brand owner, and converter, allowing an applicant to self-identify against the specific channel through which it introduces products to the Kenyan market. Of the seven categories, two have an explicit definition:

- Brand owner is "the registered owner of the trademark under which a product is sold."[22]
- Converter is an entity that transforms or combines secondary raw materials to produce a new product."

2.2. Roles and Responsibilities of Producers

Under Regulation 5 of the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024, producers carry ten distinct responsibilities, listed below alongside the practical implications of how each translates into on-the-ground activity.

Table 2: Producer obligations list

Reg. 5(1)	Regulatory Obligation[21]	Practical Implication
(a)	Establish a take-back scheme, which may include a deposit refund system.	Producer designs and operates a collection mechanism for its products at the end of life, whether through drop-off points, reverse logistics, or a monetary deposit-refund model.
(b)	Set up and register an individual or a collective extended producer responsibility compliance scheme.	Producer formally registers a scheme with NEMA before commencing EPR activities, either by establishing its own scheme or through a PRO.
(c)	Join a collective extended producer responsibility compliance scheme.	Where a producer does not run its own scheme, it becomes a paying member of an existing PRO covering its product category.

[21] *Sustainable Waste Management Act, No. 31 of 2022 (Kenya).* Kenya Gazette Vol. CXXIV—No. 158, 12 August 2022. National Council for Law Reporting (Kenya Law). Retrieved 30.06.2026, from https://new.kenyalaw.org/akn/ke/act/2022/31/eng@2022-12-31

[22] *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Legal Notice No. 176 of 2024, Kenya). Kenya Gazette Vol. CXXVI-No. 213, 6 December 2024. National Council for Law Reporting (Kenya Law). Retrieved 30.06.2026, from https://new.kenyalaw.org/akn/ke/act/ln/2024/176/eng@2024-12-06

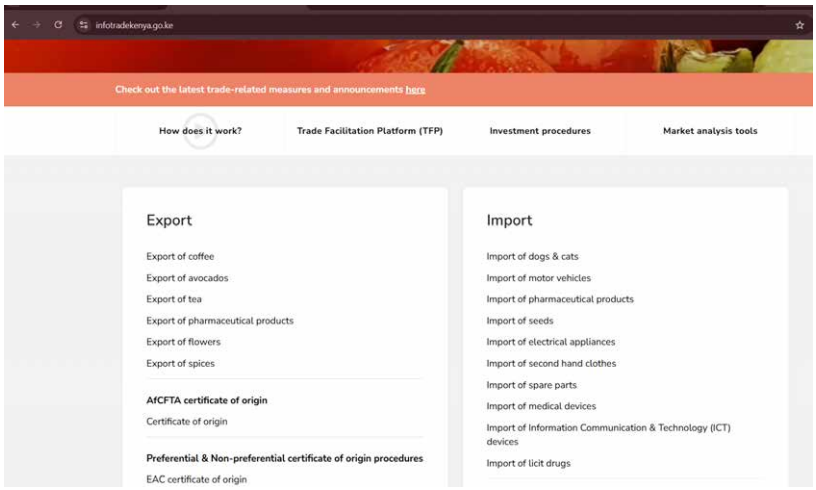
(d)	Register with the Authority.	The producer completes NEMA's producer registration process and holds a valid registration number as a precondition for lawful market participation.
(e)	Provide the Authority with reports of the status of the implementation of their extended producer responsibility obligations.	Producer maintains reporting systems capable of tracking and submitting implementation status to NEMA on an ongoing basis.
(f)	Design products and packaging materials that minimise waste, facilitate reuse, recycling, recovery and use of secondary raw materials where possible, and are environmentally friendly at the end of life.	Producer reviews and adapts product/packaging design (materials, format, recyclability) to meet eco-design criteria, potentially requiring R&D or supplier changes.
(g)	Take financial, organisational and physical responsibility for the management, treatment and disposal of their post-consumer products and end-of-life treatment for the waste generated by their products.	Producer funds, structurally organises, and where relevant physically carries out or contracts for the collection, treatment, and disposal of its post-consumer waste.
(h)	Provide consumers with information and raise awareness on management of post-consumer products that they introduce in the market.	Producer runs consumer-facing communication (labelling, campaigns) explaining take-back points, disposal instructions, and recycling symbols.
(i)	Carry out product life cycle assessment in relation to their products for enhancing environmental sustainability.	Producer conducts or commissions studies to identify environmental hotspots across the product's life cycle and inform design or process improvements.
(j)	Put in place circular economy initiatives and any other measures to reduce the impact of their product on health and environment.	Producer pursues circularity measures beyond the specific obligations above, e.g. material recovery partnerships, resource-loop closing, or other initiatives.

Each importer of a product listed in the First Schedule must complete three steps at the point of importation:

i. First "register as producers under the Extended Producer Responsibility programme with NEMA before they can apply for the mandatory import certificate through the government trade portal used by importers nationwide."[23] This can be done through the eCitizen portal.

ii. Apply for EPR import certificate as shown in the Figure below. Importers can apply for these certificates through the eCitizen portal under "Application for Extended Producer Responsibility - Import Certificate". Only applicable for products under category 1 & 2 of the first schedule of the EPR Regulations (non-hazardous and hazardous packaging). It is important to note that this system has not been launched yet. For producers of products under category 3, 4 & 5 of the first schedule of the EPR Regulations the import certificate application shall be done through the KENTRADE portal as illustrated in the figure below. [24]

Figure 5: Kentrade portal for import certificate[25]



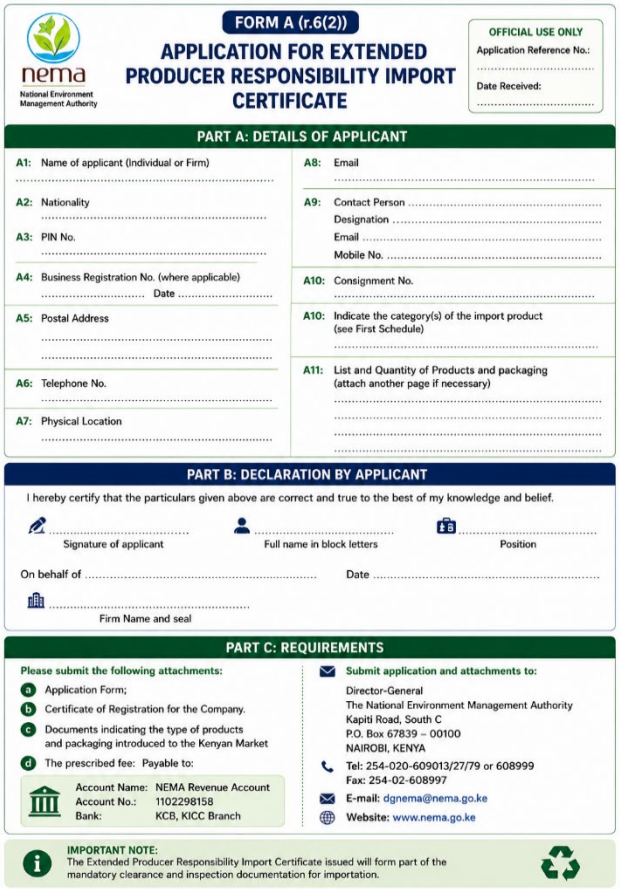
iii. Pay the import fee set out in the First Schedule for that product (see Figure 3). Fees paid at import are separate from EPR scheme fees. In addition, the importer must join an EPR compliance scheme, either individually or collectively through a PRO, paying the membership and compliance fees applicable under that scheme.

[23] Emmanuel Rono. (2026). NEMA to implement mandatory EPR import certificates starting March 14. Retrieved 17.07.2026, from https://peopledaily.digital/business/nema-to-implement-mandatory-epr-import-certificates-starting-march-14

[24] Kenya Trade Network Agency (KenTrade). (2026). *InfoTrade Kenya Portal*. Retrieved 17.07.2026, from https://infotradekenya.go.ke/

[25] Kenya Trade Network Agency (KenTrade). (2026). *InfoTrade Kenya Portal*. Retrieved 17.07.2026, from https://infotradekenya.go.ke/

Figure 6: Application for EPR import certificate[26]



FORM A (r.6(2))

APPLICATION FOR EXTENDED PRODUCER RESPONSIBILITY IMPORT CERTIFICATE

nema — National Environment Management Authority

OFFICIAL USE ONLY
Application Reference No.: .....
Date Received: .....

PART A: DETAILS OF APPLICANT

A1: Name of applicant (Individual or Firm) .....
A2: Nationality .....
A3: PIN No. .....
A4: Business Registration No. (where applicable) ..... Date .....
A5: Postal Address .....
A6: Telephone No. .....
A7: Physical Location .....
A8: Email .....
A9: Contact Person .....
Designation .....
Email .....
Mobile No. .....
A10: Consignment No. .....
A10: Indicate the category(s) of the import product (see First Schedule) .....
A11: List and Quantity of Products and packaging (attach another page if necessary) .....

PART B: DECLARATION BY APPLICANT

I hereby certify that the particulars given above are correct and true to the best of my knowledge and belief.

Signature of applicant ..... Full name in block letters ..... Position .....
On behalf of ..... Date .....
Firm Name and seal .....

PART C: REQUIREMENTS

Please submit the following attachments:
a. Application Form;
b. Certificate of Registration for the Company.
c. Documents indicating the type of products and packaging introduced to the Kenyan Market
d. The prescribed fee: Payable to:
Account Name: NEMA Revenue Account
Account No.: 1102298158
Bank: KCB, KICC Branch

Submit application and attachments to:
Director-General
The National Environment Management Authority
Kapiti Road, South C
P.O. Box 67839 – 00100
NAIROBI, KENYA
Tel: 254-020-609013/27/79 or 608999
Fax: 254-02-608997
E-mail: dgnema@nema.go.ke
Website: www.nema.go.ke

IMPORTANT NOTE:
The Extended Producer Responsibility Import Certificate issued will form part of the mandatory clearance and inspection documentation for importation.

2.3. Roles and Responsibilities of Producer Responsibility Organizations (PROs)

Producer Responsibility Organisations serve as collective compliance mechanisms that manage EPR obligations on behalf of multiple producers. They coordinate collection systems, contract recyclers and waste service providers, conduct awareness activities, manage reporting requirements, and submit compliance information to regulators[27]. Examples already operating in Kenya include KEPRO (packaging sector), PAKPRO (packaging producer responsibility), EPROK (Electronic Producer Responsibility of Kenya) and HAPROK (Hazardous Producer Responsibility of Kenya).

PROs are required to:

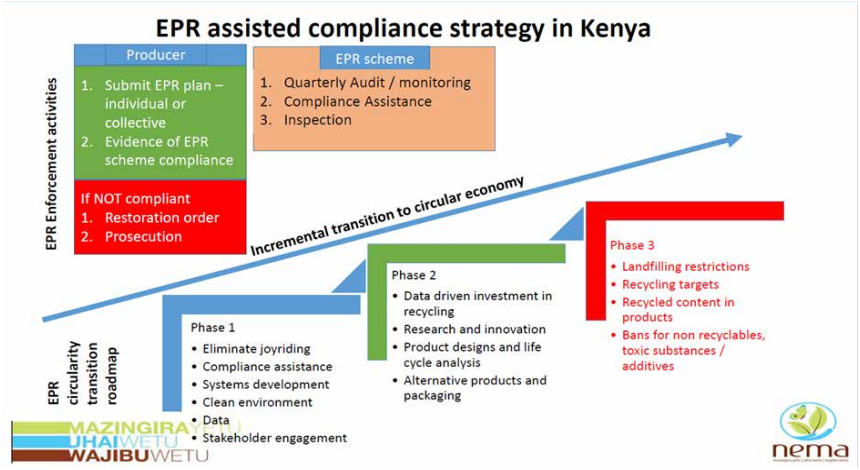
- Register with NEMA separately from individual producers
- Submit consolidated EPR plans on behalf of member producers
- Contract agents, licensed waste service providers, and recyclers
- Report collectively on collection and recycling performance

[26] Based on *Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024* (Legal Notice No. 176 of 2024, Kenya). Kenya Gazette Vol. CXXVI—No. 213, 6 December 2024. National Council for Law Reporting (Kenya Law). Retrieved 30.06.2026, from https://new.kenyalaw.org/akn/ke/act/ln/2024/176/eng@2024-12-06

[27] Ecosistant. (2025, November 6). *What is a producer responsibility organization (PRO)? The key players behind Europe's recycling system*. Retrieved 18.06.2026 https://www.ecosistant.eu/en/producer-responsibility-organization/

The PRO model significantly reduces the administrative burden on individual producers, particularly small and medium-sized enterprises (SMEs), while enabling coordinated, sector-wide compliance.

Figure 7: EPR assisted compliance strategy in Kenya[28]



Every EPR compliance scheme, individual or collective (PRO), must submit an annual report to NEMA on market quantities, recyclability, reusability, label compliance, and traceability; non-compliant collective schemes face criminal liability under SWMA Section 32.

Producers remain legally responsible for their EPR obligations despite delegating operations to PROs, and should keep independent records of membership, declarations, payments, and submissions[29]. Unlike most European counterparts operating within formalized systems, Kenyan PROs work closely with informal collectors, community-based organizations, and aggregators recovering much of the recyclable material - making informal-sector integration a key determinant of collection performance.

For most German companies, joining a licensed PRO is the most practical compliance route. Before joining, companies should assess the PRO's product scope, governance, reporting systems and operational capacity to ensure it can effectively support their compliance obligations.

2.4. Roles and Responsibilities of Recyclers, Collection Agencies, and Waste Processor

The success of Kenya's EPR system depends heavily on the performance of the downstream waste management chain, supported by four key groups.

Waste pickers and community-based organisations form the foundation of material recovery, collecting recyclable materials from households, businesses, streets, and disposal sites. Their role is far more prominent than in developed-country EPR systems, where formal municipal collection dominates. Kenya's EPR framework therefore emphasises integrating these informal actors into formal recovery systems rather than replacing them.

[28] NEMA. (2024). EPR Implementation Model for Kenya. Retrieved 30.06.2026, from https://ad.nema.go.ke/wp-content/uploads/2024/10/EPR-Implementation-model-for-Kenya.pdf

[29] EU Green Best Practice Community. (2024). *Best use of incentives by producer responsibility organisations*. European Commission, Joint Research Centre. Retrieved 18.6.26, from https://greenbestpractice.jrc.ec.europa.eu/node/185

Aggregators link collection to recycling by purchasing, consolidating, and supplying recyclable materials to recyclers and PRO-supported recovery systems. Licensed recyclers then process these materials into secondary raw materials for industrial use, covering streams such as PET plastic, glass, multilayer packaging/Tetra Pak, hazardous containers, and e-waste. However, unlike countries with mature recycling industries, processing infrastructure remains concentrated around Nairobi, with limited capacity across several waste streams; some materials, including certain e-waste fractions, batteries, and complex plastics, still require export for final treatment due to insufficient domestic capacity.

Licensed transporters provide the logistics link between collection points, aggregators, and recycling facilities. Licensing requirements, county permits, and transport costs remain significant operational challenges affecting collection efficiency and nationwide coverage.

2.5. Roles and Responsibilities of Regulatory Bodies

To ensure the efficacy of the EPR framework in Kenya, a structured, collaborative mechanism among key regulatory agencies is essential. Inter-agency data sharing must be formalized in strict alignment with the Data Protection Act (2019) to safeguard privacy while optimizing market oversight. This collaborative approach is critical, as distinct authorities maintain specialized jurisdictions that collectively influence the lifecycle and regulatory compliance of products entering the Kenyan market.

i. National Environment Management Authority (NEMA)

The lead regulator and implementing authority for EPR acts as the primary enforcement body for non-compliance, illegal market placement, and failure to meet EPR obligations.

Key roles:

- Registers producers, PROs, and EPR compliance schemes
- Approves EPR plans and annual operating licenses
- Issues import certificates for regulated products
- Monitors compliance through audits, inspections, and reporting
- Enforces penalties, suspensions, and revocations of licenses
- Maintains national EPR registers and reporting systems
- Ensures achievement of national waste reduction and recycling targets

ii. Kenya Revenue Authority (KRA)

KRA supports EPR mainly through trade and import control mechanisms as well as ensuring compliance before products enter the Kenyan market.

Key roles:

- Collects EPR fees at the point of importation (for listed products)
- Ensures importers obtain valid EPR import certificates before clearance
- Integrates EPR compliance into customs clearance processes
- Helps block entry of non-compliant or unregistered products
- Supports enforcement against under-declaration of imported quantities

iii. Kenya Bureau of Standards (KEBS)

KEBS plays a product quality, safety, and standards enforcement role that complements EPR. Additionally, they control product quality and prevent environmentally harmful or non-compliant products from entering or circulating in the market.

Key roles:

- Ensures products placed on the market meet safety and quality standards
- Supports eco-design and packaging standards aligned with sustainability goals. The eco-designs are recommended by PROs in their reporting to NEMA
- Conducts inspections and conformity assessments
- Prevents entry of substandard or unsafe products that may create hazardous waste streams
- Works with NEMA to ensure packaging compliance and labeling requirements

iv. County Governments

Under Kenya's devolved governance structure, waste management is a constitutionally assigned function of the 47 county governments. The counties hold the primary mandate for implementing comprehensive waste management systems, encompassing everything from localized collection networks to the development of robust recycling infrastructure.

Key roles:

- Provide waste collection, segregation, and disposal infrastructure
- License and regulate local waste service providers
- Support collection points for EPR take-back schemes
- Participate in monitoring and enforcement of illegal dumping and non-compliance
- Support public awareness and community education on waste segregation
- Collaborate with NEMA and PROs in operationalizing recycling and recovery systems

2.6. Importance of Collaboration and Data Transparency among Stakeholders

Effective EPR implementation depends on timely, accurate data exchange across NEMA, county governments, PROs, producers, and waste operators. Producers report market volumes and compliance status (2.2); PROs consolidate this with collection and recycling data from members and partners (2.4); NEMA aggregates it to administer registries, issue certificates, and monitor compliance (2.5). Recyclers and aggregators feed volumes and material types upward to PROs and NEMA; KRA and county governments hold complementary records on import data and licensed local waste activity.

Each layer's output is only as complete as the layer feeding it: a gap at the producer-reporting stage weakens PRO consolidation and, in turn, NEMA's national compliance picture (Sections 2.4, 2.5). Every actor thus shares responsibility for data quality - producers through timely reporting, PROs through verifying member data, and waste operators through traceable records supporting upstream obligations.

Sustained collaboration and transparent data-sharing across these groups is therefore a precondition for the system functioning as intended, not separate from the compliance obligations set out earlier in this chapter.

3. EPR Operational Processes

Complying with Kenya's EPR framework is an ongoing operational process rather than a one-time registration exercise. Producers are required to register with NEMA, report products placed on the Kenyan market, finance or organize the collection and treatment of post-consumer waste, submit regular compliance reports, participate in awareness activities, and maintain records for regulatory monitoring and auditing. Although Kenya's EPR framework is relatively new, enforcement activities are increasing and producers are expected to demonstrate continuous compliance throughout the product lifecycle.

3.1. Producer Registration, Market Placement Reporting, and Forecasting Obligations

All producers must register with NEMA, obtain an annual EPR licence, and, where applicable, secure EPR certificates for imported consignments. Additionally, they are also required to prepare a four-year EPR implementation plan outlining recovery targets, collection systems, recyclers, transporters, budgets, and implementation milestones.

In practice, compliance has been uneven. Stakeholder interviews indicated that many companies only registered after receiving compliance notices from NEMA or engaging with PROs. Multinational companies have also experienced delays due to internal approval processes and uncertainty regarding regulatory obligations.

Market placement reporting presents a significant administrative challenge because NEMA requires product-by-product registration. Most producers rely on manual data management systems that are not integrated with NEMA's reporting platform, making reporting time-consuming and resource intensive. Many companies therefore depend on PROs to assist with reporting and planning obligations.

Figure 8: Action checklist for German companies



3.2. Waste collection and Treatment coordination

The EPR Regulations require producers to ensure that systems are in place for the collection and treatment of products at end of life. Compliance can be achieved either individually or through membership in a licensed PRO.

Under individual compliance, producers establish and manage their own collection, transportation, recycling, and reporting systems. While this offers greater operational control, it requires substantial financial, technical, and administrative resources. Generally suitable only for large companies with specialised waste streams or existing reverse logistics networks.

Most producers have opted for collective compliance through PROs, which coordinate collection networks, engage recyclers and service providers, conduct awareness activities, and support compliance reporting. Stakeholder interviews indicated that PRO membership has become the preferred approach because it reduces costs, administrative burdens, and operational complexity while providing access to existing collection and recycling infrastructure.

Table 3: Individual and collective compliance through PRO[30]

Aspect	Individual Compliance	Compliance through PRO
Collection system	Producer establishes and manages its own collection network	Collection is coordinated through the PRO's established network.
Waste management partners	Producer contracts collectors, transporters and recyclers directly	PRO contracts and manages service providers on behalf of members
Reporting	Producer submits compliance reports directly to NEMA	PRO consolidates and submits reports while producers provide supporting data.
Administrative burden	High	Moderate to low
Cost	Higher due to independent infrastructure and management	Lower as costs are shared among members
Operational Flexibility	High	Limited to the PRO's operating model
Best suited for	Large producers with specialised waste streams or existing take-back systems	Most manufacturers, importers and brand owners placing products on the Kenyan market

[30] Authors' compilation based on The Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024 (Legal Notice No. 176 of 2024), Regulations 8–12, and stakeholder consultations (June 2026).

3.3. Communication and Awareness raising programs

Communication and awareness activities support implementation of the EPR framework by increasing understanding of compliance obligations and promoting responsible waste management practices. NEMA conducts stakeholder consultations, workshops, and guidance programmes, while PROs provide training, technical support, and awareness campaigns for producers, consumers, recyclers, and waste collectors. Partnerships with county governments, educational institutions, and community organisations have further expanded outreach.

Interviews indicate that awareness has improved since the regulations were introduced but remains uneven, with SMEs, new market entrants, consumers, and informal waste collectors often having limited understanding of EPR requirements. Stakeholders also cited regulatory uncertainty, resource constraints, and varying county-level capacity as factors affecting implementation.

For companies operating in Kenya, regular engagement with PROs, monitoring of NEMA updates, and ensuring internal teams understand EPR obligations remain important for ongoing compliance.

3.4. Monitoring, Auditing, and Enforcement Measures

NEMA is responsible for monitoring compliance by producers and PROs, focusing on producer registration, market placement declarations, implementation of EPR plans, and assessment of PRO performance. Enforcement has increasingly shifted from awareness creation toward inspections, compliance verification, and enforcement action.

Auditing verifies producer declarations and reported collection and recycling activities, requiring documentation such as market placement records, transport records, recycler certificates, contracts, invoices, and compliance reports. However, auditing remains challenging, as a significant proportion of recyclable materials are recovered through informal collection systems with limited traceability. Monitoring is further constrained by the absence of integrated digital systems linking NEMA, customs authorities, county governments, and PROs, making independent verification of market placement data difficult.

Although enforcement has become more visible, it currently focuses largely on producer registration and basic compliance. Future enforcement is expected to place greater emphasis on data accuracy, reporting quality, recovery performance, and PRO accountability.

3.5. Key Monitoring and Enforcement Challenges

Despite significant progress, several challenges continue to affect implementation of Kenya's monitoring and enforcement framework.

First, regulators still rely heavily on self-declared producer information. Without integrated digital reporting systems linked to customs and taxation databases, independently verifying market placement data remains difficult.

Second, traceability within the waste value chain is limited. While formal recyclers generally keep accurate records, documentation is often incomplete at the collection stage, where informal waste collectors dominate, limiting regulators' and PROs' ability to verify actual recovery rates.

Third, institutional coordination remains inconsistent. Stronger collaboration between NEMA, county governments, customs authorities, PROs, and recyclers is needed to improve information sharing; currently, fragmented coordination contributes to duplication of regulatory activities and data gaps.

Finally, capacity constraints persist at both national and county levels. As producer registration expands and additional waste streams are incorporated into the EPR framework, monitoring and enforcement will require greater technical expertise, digital infrastructure, and financial resources.

3.6. Implications for German companies

German companies should recognise that Kenya's EPR enforcement framework is evolving gradually. While implementation remains less mature than in many European jurisdictions, regulatory expectations are rising, and enforcement is expected to become progressively more data driven.

To minimise compliance risks, companies should:

i. Maintain accurate records of products placed on the Kenyan market
ii. Retain contracts and licences for PROs, recyclers, and waste service providers
iii. Establish internal procedures for verifying market placement declarations before submission
iv. Periodically review the performance of contracted PROs and recycling partners
v. Conduct internal compliance audits to identify reporting gaps
vi. Monitor regulatory updates issued by NEMA to ensure continued compliance with evolving EPR requirements.

These measures should be regarded as integral components of corporate governance and environmental risk management. Companies that establish robust compliance systems at an early stage will be better positioned as Kenya's enforcement framework matures.



Sector Brief — Packaging Waste

Policy Guide for EPR in Kenya

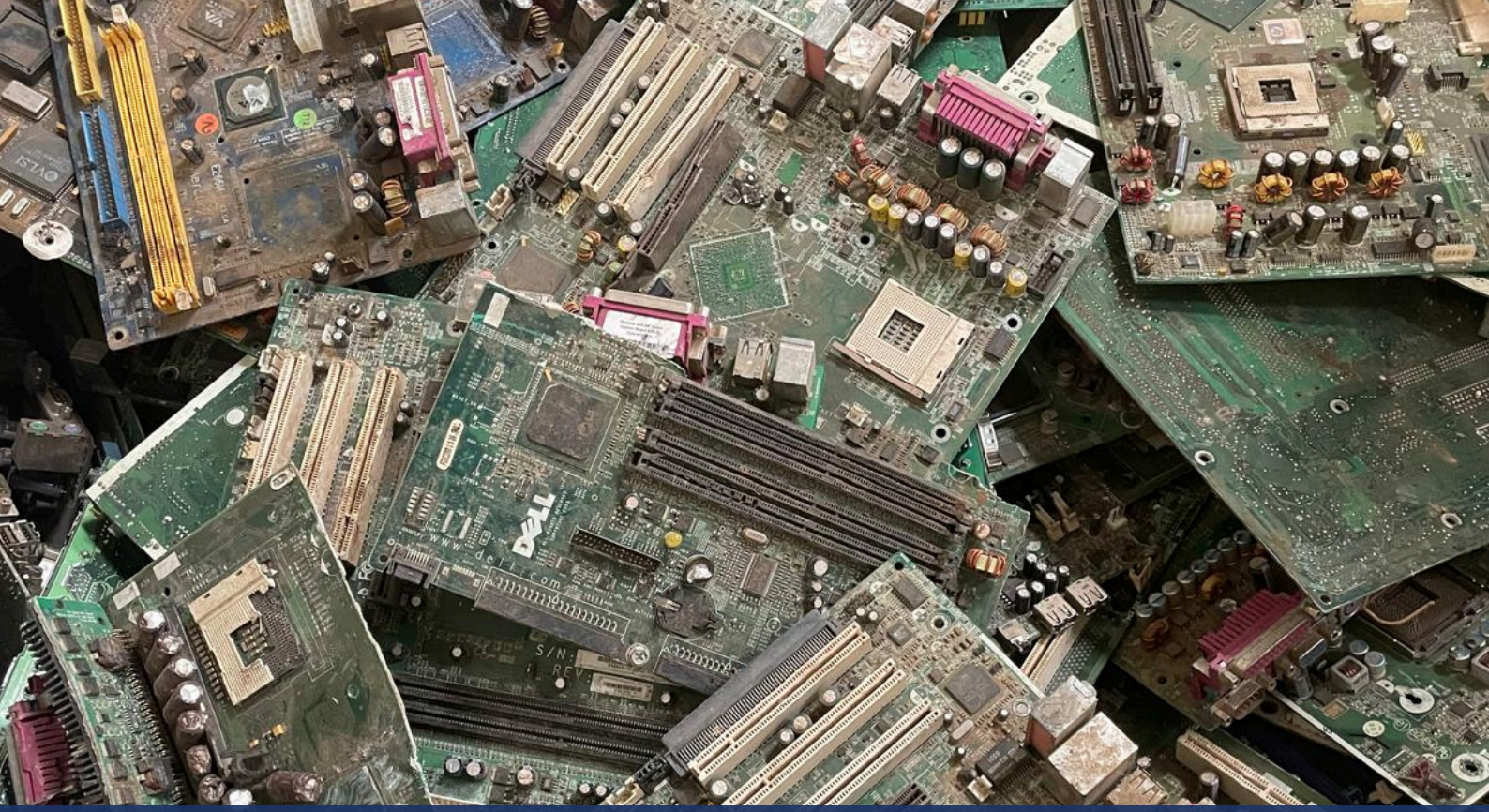
Under the First Schedule of the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024, packaging is classified across two distinct categories. Category I covers packaging for non-hazardous products, including plastics, aluminium, composite, paper and its corrugates, glass, cardboard and carton. Category II covers hazardous products' packaging, including industrial chemicals, oil and lubricants, pharmaceuticals, agrochemicals, veterinary, cosmetics, paints and solvents, treated wood and agricultural films.

A material-specific layer of regulation exists only for plastic packaging, under the separate Environmental Management and Co-ordination (Management and Control of Plastic Packaging Materials) Regulations, 2024. This regulation introduces mandatory licensing for manufacture, import, or use of flat bags and plastic film; labelling of recyclable or non-recyclable status using Resin Identification Codes; a minimum 30% recycled content requirement where recyclable content is mandated. A distinct EPR plan and annual reporting obligation specific to plastic packaging volumes are mandated.

Kenya currently has two registered PROs for packaging waste PAKPRO and KEPRO. Both are producer-led PROs that coordinate the implementation of EPR obligations for packaging waste on behalf of its member companies. works across multiple packaging materials, including plastics, paper and cardboard, glass, metals, and composite packaging, in accordance to category 1 of the 1st schedule of the EPR regulations.

For further information, please refer to the full policy guide under this link.

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Sector Brief — Waste Electrical and Electronic Equipment

Policy Guide for EPR in Kenya

Under the First Schedule of the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024, EEE is classified under Category III, covering electrical and electronic equipment, mercury auto switches, thermostats, battery and accumulators, at the standard Kshs 150 per item import fee. Kenya does not currently have dedicated regulations governing the management of waste electrical and electronic equipment (e-waste), despite several attempts to develop such regulations. The most recent draft regulations were not adopted following the public participation process, requiring the regulatory process to be revisited before a new framework can be finalized.

In the absence of dedicated e-waste regulations, the sector is currently governed by the Environmental Management and Coordination (Waste Management) Regulations, 2024, together with the Guidelines for E-Waste Management in Kenya (2010). While the Guidelines provide technical direction on the collection, storage, transportation, treatment, refurbishment, recycling, and disposal of e-waste, they do not have the force of law and are therefore not legally enforceable. Nevertheless, they continue to serve as important references for government agencies, private sector actors, academic institutions, recyclers, and other stakeholders pending the adoption of a comprehensive e-waste regulatory framework.

The Electronic-waste Producer Responsibility Organization of Kenya (EPROK) is an active collective dedicated to WEEE under classification 3 of the first schedule. EPROK's was formed by the Kenya Association of Manufacturers in collaboration with the Global Off-Grid Lighting Association, and the Kenya Renewable Energy Association. EPROK is committed to scaling its operational frameworks and significantly increasing the volume of e-waste diverted from landfills.

For further information, please refer to the full policy guide under this link.

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Sector Brief — End of Life Batteries

Policy Guide for EPR in Kenya

Kenya does not currently have a dedicated EPR scheme specifically for batteries. Under the EPR Regulations, batteries are classified under Category III of the 1st schedule, together with waste electrical and electronic equipment. Consequently, producers, importers, brand owners, and other obligated entities placing batteries on the Kenyan market are required to fulfil their EPR obligations through the Category III framework, either individually or collectively through a registered PRO.

Although there is no battery-specific collection and recycling scheme at the national level, several private sector actors have established voluntary take-back programmes for used lead-acid batteries. Notable examples include Chloride Exide and AutoXpress, which collect spent batteries through their retail and service networks for recycling and environmentally sound management.

Regarding lithium-ion batteries, several organizations are collecting end-of-life batteries and repurposing those that remain suitable for secondary applications, such as lower-power energy storage systems and other less demanding uses. Batteries that cannot be safely repurposed are exported to specialized facilities for material recovery (urban mining), where valuable materials such as lithium, cobalt, nickel, copper, and other critical minerals are recovered through environmentally sound recycling processes. While these initiatives contribute to resource recovery and waste diversion, they are largely market-driven and are not yet coordinated under a dedicated national battery EPR scheme.

For further information, please refer to the full policy guide under this link.

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Sector Brief — Textile Waste

Policy Guide for EPR in Kenya

Under the First Schedule of the Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024, textiles are classified under Category V (Non-Packaging Materials). Consequently, producers and other obligated entities placing textile products on the Kenyan market are required to comply with the EPR obligations prescribed under the Regulations.

To meet the industry's EPR obligations particularly second-hand clothing, Baltic Textile Traders, with technical support from GFS East Africa, is exploring the establishment of a dedicated EPR scheme for the second-hand clothing sector. The proposed initiative seeks to develop a structured framework for the collection, reuse, recycling, and environmentally sound management of post-consumer textile waste.

For further information, please refer to the full policy guide under this link.

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5. Recommendations

For German companies operating in or entering the Kenyan market, understanding the practical challenges facing Kenya's EPR system, and what to do about them, is as important as understanding the legal requirements themselves. This chapter sets out the key implementation gaps identified through stakeholder consultations, followed by concrete guidance for companies and a broader view of the policy and institutional improvements underway.

5.1. Challenges and Gaps Identified

The implementation of Kenya's EPR system exhibits a mature legal and institutional framework, while several operational gaps continue to affect its practical functioning. The following gaps have been identified through the analysis presented in this report:

i. Clarity on compliance obligations - Stakeholder consultations highlighted the need for clearer guidance on registration, reporting requirements, fee structures, and compliance responsibilities to facilitate effective implementation of the EPR Regulations.
ii. Unverified self-declared reporting - The current reporting system is based on producer self-declaration. In the absence of independent verification mechanisms, this creates the potential for under-reporting of products placed on the market, which places a disproportionate financial burden on compliant producers.
iii. Uneven distribution of collection and recycling infrastructure - Collection, sorting, and recycling infrastructure is concentrated in and around major urban centres. This constrains the achievement of collection and recovery targets in other parts of the country.
iv. Limited traceability within the waste value chain - Traceability from collection through to final recycling is limited, primarily due to the extent of informal collection activity and the absence of integrated reporting systems. This restricts the verification of reported recovery and recycling outcomes.
v. Limited integration of the informal waste sector - Informal waste collectors recover a significant proportion of recyclable material but remain largely outside the formal EPR system, limiting both reporting accuracy and improvements to working conditions.
vi. Insufficient institutional coordination - Coordination remains inconsistent, resulting in overlapping responsibilities and fragmented oversight.
vii. Constrained regulatory capacity - As the EPR framework expands to additional producers and waste streams, implementing institutions require additional technical, financial, and human resources to maintain effective monitoring and enforcement.

5.2. Strategic Recommendations for Effective EPR Implementation for companies

Given the operational and infrastructure gaps outlined above, the burden of assurance falls largely on companies' internal systems rather than external verification, since Kenya's monitoring and enforcement infrastructure does not yet independently confirm compliance to the extent seen in more established EPR markets. The recommendations below define the specific responsibilities companies should assume to manage this gap.

i. Accurate self-declaration – Kenya's reporting system relies on producer self-declaration and is not yet independently verified at system level. Companies are responsible for the accuracy of their own market placement data and should establish internal verification procedures prior to submission.

ii. Institutional record-keeping – Coordination between NEMA, county governments, and PROs is still developing. Companies are responsible for maintaining comprehensive documentation, including contracts, licences, transport records, and compliance reports.
iii. Proactive regulatory monitoring – Enforcement capacity in Kenya continues to build and is expected to become more data-driven. Companies are responsible for monitoring regulatory developments on an ongoing basis, rather than treating registration as a one-time action.
iv. Supply chain engagement – Informal waste collectors remain largely outside formal EPR structures. Where feasible, companies should support efforts to bring informal collectors into their supply chains on fairer, mutually beneficial terms. This is not a strict legal obligation but supports the reliability of the recovery data underpinning a company's own compliance reporting.

Companies that assume these responsibilities proactively will be better positioned to manage compliance risk as the enforcement framework matures.

Key priorities for companies

- Maintain accurate, verifiable records of market placement and compliance documentation
- Exercise ongoing oversight of PRO and recycling partners, reviewing performance periodically
- Build internal accountability for EPR obligations across legal, procurement, and sustainability functions, rather than leaving compliance with a single team.
- Stay ahead of regulatory developments, since enforcement is expected to become progressively more data driven as digital reporting systems mature.

5.3. Policy, Institutional, and Operational Improvements recommendations

The following recommendations aim to support the system's continued development rather than attribute responsibility for existing gaps to any single actor; they reflect areas where coordinated action across the regulatory and institutional landscape would strengthen the system.

i. Coordination among relevant regulatory and institutional actors should be strengthened to reduce overlaps and inconsistencies affecting enforcement.
ii. Integrated digital reporting systems linking producer registration, market placement, and downstream recycling data would enable independent verification, closing the self-declaration gap that currently limits sector transparency.
iii. Further investment in collection and recycling infrastructure is needed to extend capacity beyond major urban centres. Formalising the informal waste sector — through training, registration, and contractual integration — would improve traceability and the reliability of reported recovery data.
iv. Regulatory capacity should continue to grow, giving authorities greater scope for inspections, risk-based monitoring, and enforcement.
v. Harmonising reporting requirements across compliance schemes would reduce administrative complexity and improve consistency, while incentives for recycled materials in manufacturing and public procurement would strengthen domestic markets for recycled content.

Annex– Useful Resources

Organisation	Brief Description	Link
National Environment Management Authority (NEMA)	Lead EPR regulator. Registers producers, PROs and compliance schemes; approves EPR plans and annual licences; issues import certificates; monitors and enforces compliance.	www.nema.go.ke *Registration and reporting portal:* nema.ecitizen.go.ke
Kenya Revenue Authority (KRA)	Collects EPR fees at the point of import, verifies EPR import certificates during customs clearance and supports enforcement against under-declared quantities.	www.kra.go.ke
Kenya Bureau of Standards (KEBS)	Enforces product quality, safety and eco-design/packaging standards that complement EPR, and prevents non-compliant products entering the market.	kebs.go.ke
Kenya Association of Manufacturers (KAM)	Manufacturers' industry association; co-founded EPROK and represents producer interests in EPR policy dialogue with government.	www.kam.co.ke
KenTrade	Facilitates trade by processing and coordinating electronic approvals, permits, and licenses for imports and exports through the National Single Window System.	www.kentrade.go.ke
PAKPRO (Packaging Producer Responsibility Organization)	Kenya's main packaging PRO, formed from the 2023 rebrand of PETCO Kenya. Covers plastics, paper and cardboard, glass, metal and composite packaging.	pakpro.co.ke
KEPRO (Kenya Extended Producer Responsibility Organization)	Second registered packaging PRO, coordinating collective compliance for non-hazardous post-consumer packaging waste on behalf of member producers.	www.kepro.co.ke
EPROK (Electronic-Waste Producer Responsibility Organization of Kenya)	Kenya's sole e-waste PRO, formed by KAM with the Global Off-Grid Lighting Association and Kenya Renewable Energy	eprok.co.ke

	Association. Also coordinates batteries under Category III.	
HAPROK (Hazardous Waste Producer Responsibility Organization of Kenya)	A fourth registered PRO, enabling producers of hazardous products to meet EPR obligations through a collective system for packaging waste collection, treatment and reporting. Active alongside NEMA on enforcement matters (e.g. the Nairobi River restoration directive).	haprok.co.ke
Chloride Exide (K) Ltd	Runs a voluntary take-back and recycling programme for used lead-acid batteries through its retail and service network.	www.chlorideexide.com
AutoXpress Kenya	Operates a responsible disposal programme collecting used batteries, tyres, oil and parts through NEMA-certified recyclers.	auto-xpress.co.ke
Baltic Textile Trading Ltd (Baltic Mitumba / Think Twice)	Second-hand clothing importer/trader exploring a dedicated EPR scheme for textile waste, with technical support from GFS East Africa.	balticmitumba.co.ke