

LEGAL NOTICE NO.

THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)

**THE KENYA INFORMATION AND COMMUNICATIONS (TYPE APPROVAL OF
ELECTRONIC COMMUNICATIONS EQUIPMENT) REGULATIONS, 2026**

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THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)

IN EXERCISE of the powers conferred by section 27 of the Kenya Information and Communications Act, the Cabinet Secretary for Information, Communications and the Digital Economy makes the following Regulations—

**THE KENYA INFORMATION AND COMMUNICATIONS (TYPE APPROVAL OF
ELECTRONIC COMMUNICATIONS EQUIPMENT) REGULATIONS, 2026**

PART I—PRELIMINARY

Citation.

1. These Regulations may be cited as the Kenya Information and Communications (Type Approval of Electronic Communications Equipment) Regulations, 2026.

Interpretation.

Cap. 411A.

Cap. 496.

2. In these Regulations, unless the context otherwise requires—

“Act” means the Kenya Information and Communications Act;

“applicable standards” means the National Standards, and the internationally recognised standards, adopted or approved by the Authority for the purposes of type approval;

“approval holder” means a person to whom a type approval certificate is issued under these Regulations;

“commercial equipment” means electronic communications equipment which is imported, manufactured, supplied, distributed or deployed for sale, lease, resale or use in the course of business or any other income-generating activity, including deployment on a public or a private network;

“Authority” means the Communications Authority of Kenya established under section 3 of the Act;

“electronic communications equipment” means telecommunications, radiocommunications or broadcasting equipment, whether network or terminal equipment, intended for connection to or use with an electronic communications network;

“electronic communications network” means a system or arrangement of transmission facilities, whether by wire, radio, optical or other electromagnetic means, including associated switching, routing or other resources, which is used to convey, transmit or receive electronic communications signals between defined network termination points;

“licensee” means the holder of a licence issued under the Act;

“National Standards” means the standards approved and published by the Kenya Bureau of Standards under the Standards Act;

“non-commercial equipment” means electronic communications equipment which is imported, manufactured, supplied or used solely for a purpose not intended to generate income, including research, experimentation or personal or private use, and which is not sold, distributed to the public or otherwise commercially exploited;

“Register” means the Type Approval Register maintained under regulation 26;

“service provider” means a person licensed under the Act to provide telecommunications services to the public or systems to other service providers;

“terminal equipment” means equipment on the user’s side of a network termination point which is connected, directly or indirectly, to an electronic communications network;

“Tribunal” means the Communications and Multimedia Appeals Tribunal established under section 102 of the Act;

“type approval” means the process by which the Authority assesses electronic communications equipment to determine its conformity with the applicable standards and requirements; and

“type approval certificate” means a certificate issued under regulation 15.

Application.

3. (1) These Regulations apply to all electronic communications equipment intended for importation, manufacture, sale, supply, distribution, installation, connection, operation or personal use in Kenya.

(2) These Regulations do not apply to electronic communications equipment used solely for purposes of national security.

Objects of the Regulations.

4. The objects of these Regulations are to—

- (a) provide a regulatory framework for the type approval of electronic communications equipment;
- (b) ensure that equipment connected to an electronic communications network does not cause harmful interference or compromise the integrity, security or performance of the network;
- (c) promote the use of electronic communications equipment which complies with the applicable standards; and
- (d) safeguard public safety and network reliability.

PART II—TYPE APPROVAL FRAMEWORK

Requirement for type approval.

5. (1) A person shall not manufacture, import, distribute, supply, sell, install, connect, operate or use electronic communications equipment in Kenya unless the equipment has been granted type approval by the Authority or the equipment is exempted under these Regulations.

(2) The Authority shall conduct type approval through—

- (a) technical evaluation and certification;
- (b) the recognition of conformity assessment reports issued by accredited laboratories; or
- (c) mutual recognition arrangements with recognised foreign regulatory authorities.

Persons entitled to apply for type approval.

6. (1) An application for the type approval of electronic communications equipment may be made by—

- (a) a manufacturer;
- (b) an importer or a distributor;
- (c) a licensee;
- (d) a person importing equipment for personal use; or
- (e) an authorised representative of a person referred to in paragraphs (a) to (d).

(2) Where an applicant is not resident in Kenya, the applicant shall appoint a local representative who is resident or registered in Kenya.

Requirements for the manufacture of electronic communications equipment.

7. (1) A manufacturer shall ensure that electronic communications equipment—

- (a) protects the health and safety of users and of the public;
- (b) complies with the safety requirements specified by the Authority;
- (c) complies with the electromagnetic compatibility requirements specified by the Authority;
- (d) uses the spectrum allocated to it efficiently and does not cause harmful interference; and
- (e) conforms to the applicable standards.

(2) Electronic communications equipment shall be manufactured so as to ensure that the equipment—

- (a) interworks with accessories and with other electronic communications equipment, and is capable of connection to interfaces of the appropriate type;
- (b) does not harm a public electronic communications network or its functioning, and does not misuse network resources so as to cause an unacceptable degradation of service;
- (c) incorporates safeguards for the protection of the personal data and the privacy of the user; and
- (d) supports features which—
 - (i) prevent fraud;
 - (ii) enable access to emergency services;
 - (iii) facilitate use by persons with disabilities; and

- (iv) ensure that software can be loaded into the equipment only where the compliance of the combination of the software and the equipment has been demonstrated.

Capacity of an importer, supplier or distributor.

8. (1) An importer, supplier or distributor of electronic communications equipment shall ensure that—

- (a) the equipment has been granted a valid type approval; and
- (b) the importer, supplier or distributor has adequate technical and compliance capacity to support the equipment.

(2) The Authority may require an importer, supplier or distributor to demonstrate the capacity referred to in sub-regulation (1)(b) before the equipment is placed on the market.

Application for type approval.

9. (1) An application for type approval shall be made to the Authority in Form TA 1 set out in the First Schedule.

(2) An application under sub-regulation (1) shall be accompanied by—

- (a) the fee prescribed in the Second Schedule;
- (b) technical documentation and test reports, where applicable; and
- (c) a sample of the equipment, where required by the Authority.

(3) An application under this regulation may be made, and a document accompanying it may be submitted, in electronic form through an electronic system established or designated by the Authority, and a requirement for a signature is satisfied by an electronic signature which complies with the Act.

Categories of type approval.

10. An application under regulation 9 may be made for—

- (a) standard type approval; or
- (b) provisional type approval.

Standard type approval.

11. (1) Standard type approval consists of a technical evaluation to determine whether the equipment complies with the applicable standards.

(2) An applicant is liable for the laboratory and other costs incurred in the evaluation of the equipment, where applicable.

Provisional type approval.

12. (1) A person may apply for the provisional type approval of electronic communications equipment to be used on a non-commercial basis, including for the purposes of a trial, a demonstration, research or the testing of new technology.

(2) A provisional type approval is valid for a period of six months.

(3) The Authority may extend the period of a provisional type approval, but the period of the provisional type approval, including any extension, shall not exceed eighteen months in the aggregate.

(4) An application for provisional type approval shall specify—

- (a) the purpose of the trial, demonstration, research or testing;

- (b) the details of the units involved;
- (c) the proposed recipients of the units, where applicable;
- (d) the duration of the activity; and
- (e) the geographical area within which the trial, demonstration, research or testing is to be carried out.

(5) An applicant shall submit to the Authority a report of the trial, demonstration, research or testing within thirty days of the expiry of the provisional type approval.

(6) Where the applicant does not apply for standard type approval before or upon the expiry of the provisional type approval, the applicant shall, at its own cost, withdraw all the equipment deployed under the provisional type approval within thirty days of the expiry.

Technical evaluation.

13. (1) In conducting the technical evaluation of electronic communications equipment, the Authority shall—

- (a) examine the documentation submitted, including the test reports; and
- (b) undertake laboratory testing of a sample of the equipment, where necessary.

(2) A sample of equipment submitted for testing shall—

- (a) be in good working condition;
- (b) be properly configured for testing; and
- (c) clearly indicate the trade name, the model and the serial number of the equipment.

(3) An applicant shall provide the additional technical details or clarifications requested by the Authority within twenty-one days of the request or within such further period as the Authority may allow.

(4) Where an applicant fails to comply with a request within the period specified under sub-regulation (3), the application lapses.

(5) The Authority shall, on the completion of the tests and not later than six months after the issue of the type approval certificate, return to the applicant the sample of equipment submitted for type approval, unless the equipment is disposed of under regulation 30.

Determination of an application.

14. (1) The Authority shall determine an application and communicate its decision in writing to the applicant within thirty days of receipt of a complete application.

(2) Where the Authority is unable to determine an application within the period specified in sub-regulation (1), it shall notify the applicant in writing, indicating the reasons and the additional period required.

(3) Where an application is rejected, the Authority shall communicate the reasons for the rejection in writing to the applicant.

(4) An application which contains false or misleading information shall be rejected.

(5) Where a type approval is granted on the basis of false or misleading information, the Authority may revoke the type approval certificate in accordance with regulation 18.

(6) A person aggrieved by a decision of the Authority under this regulation may appeal to the Tribunal within thirty days of being notified of the decision.

Type approval
certificate.

15. The Authority shall issue a type approval certificate in respect of a specific make and model of electronic communications equipment where it is satisfied that the equipment—

- (a) complies with the applicable standards, the Act and these Regulations;
- (b) does not cause harmful interference; and
- (c) does not pose a risk to health, safety or the environment.

Effect of type
approval.

16. (1) Equipment sold or used shall be of the same make and model as the equipment in respect of which the type approval was granted, and shall not be modified except in accordance with regulation 17.

(2) The grant of a type approval shall not be construed as a warranty or a guarantee by the Authority of the performance, safety or reliability of the equipment.

(3) A supplier, an importer or a distributor shall ensure that type approved equipment is compatible with the public electronic communications network.

Validity of type
approval.

17. (1) A type approval granted in respect of a model of electronic communications equipment remains valid unless—

- (a) the equipment is materially modified; or
- (b) the type approval is revoked.

(2) A type approval attaches to the make and model of the equipment approved, and a person shall not be required to obtain a fresh type approval in respect of equipment of a make and model which is type approved.

(3) An approval holder shall notify the Authority of a change to—

- (a) the brand name of the manufacturer;
- (b) the product name;
- (c) the model number or designation;
- (d) any other information recorded in the Register; or
- (e) the certificate of conformity,

and the Authority shall update the Register accordingly.

(4) A fresh application for type approval is required where a modification affects—

- (a) safety;

- (b) electromagnetic compatibility;
- (c) radio frequency characteristics;
- (d) network interfaces; or
- (e) software or firmware, in a manner which alters the network behaviour or the compliance characteristics of the equipment.

Revocation of a type approval certificate.

18. (1) The Authority may revoke a type approval certificate where—

- (a) the equipment to which the certificate relates has undergone a material change without the approval of the Authority;
- (b) the approval holder has contravened a condition of the certificate; or
- (c) the equipment is causing or is likely to cause harmful interference to an electronic communications network, or poses a risk to human health or the environment.

(2) Before revoking a type approval certificate, the Authority shall give the approval holder written notice specifying the grounds relied upon, and shall afford the approval holder an opportunity to make representations within a period specified in the notice, being not less than fourteen days.

(3) The Authority shall publish on its website every revoked type approval and the reasons for the revocation.

(4) Where a type approval certificate is revoked, the equipment to which it relates shall be removed from the Register, and the Authority shall promptly notify the approval holder of the removal.

(5) Upon the revocation of a type approval certificate, the Authority may, by written notice—

- (a) require the approval holder to recall, remove or withdraw the equipment from the market or from service within a specified period; or
- (b) require the approval holder to take specified corrective measures to address the non-compliance.

(6) A person aggrieved by the revocation of a type approval certificate may appeal to the Tribunal within thirty days of being notified of the revocation.

Labelling.

19. (1) Type approved equipment shall bear a type approval label issued by the Authority.

(2) A label issued under sub-regulation (1) shall contain—

- (a) the logo of the Authority;
- (b) the type or the model of the equipment; and
- (c) the alphanumeric identification of the equipment.

(3) The Authority may permit the label to be displayed by electronic means where the equipment has an integral display.

PART III—COMPLIANCE AND ENFORCEMENT

Technical standards.

20. (1) A licensee, an approval holder or a service provider may implement the technical standards which it considers appropriate, being standards which conform to the applicable standards.

(2) Despite sub-regulation (1), where the Authority adopts technical standards, it shall publish the standards in the Gazette and on its website.

(3) A licensee, an approval holder or a service provider shall comply with the technical standards published under sub-regulation (2).

Recognition of test reports.

21. (1) The Authority shall recognise a test report issued by a laboratory accredited to the relevant standard by the Kenya National Accreditation Service, or by another accreditation body which is a signatory to the mutual recognition arrangement of the International Laboratory Accreditation Cooperation or which is otherwise recognised by the Authority.

(2) Despite sub-regulation (1), the Authority may require the re-testing of equipment where it has reasonable grounds to question the validity or the applicability of a test report.

(3) Where re-testing is required under sub-regulation (2), the applicant shall bear the applicable laboratory costs.

Equipment imported for personal use.

22. (1) Electronic communications equipment imported into Kenya for personal use shall be declared at the point of entry in accordance with the applicable customs laws.

(2) Equipment referred to in sub-regulation (1) shall not be used, connected or operated in Kenya unless the equipment has been granted type approval under these Regulations or is exempted under regulation 23.

Exemptions.

23. The Authority may exempt electronic communications equipment from the requirement for type approval where the equipment—

- (a) is used solely for purposes of national security, defence or public security, including in relation to State events; or
- (b) is imported into Kenya temporarily for re-export.

Publication of type approved equipment.

24. The Authority shall publish and maintain on its website an updated list of type approved equipment, the applicable technical specifications and the type approval fees.

Prohibited equipment.

25. (1) The Authority may, where necessary in the interest of public safety, network integrity or compliance with the Act, by notice published in the Gazette and on its website, declare specified equipment to be prohibited equipment.

(2) A person shall not import, supply or distribute equipment declared to be prohibited under this regulation.

Type Approval Register.	26. The Authority shall maintain an updated Type Approval Register of all type approved equipment and shall publish the Register on its website.
Market surveillance.	27. (1) The Authority may conduct market surveillance to verify the continued compliance of equipment with these Regulations. (2) For the purposes of market surveillance, an authorised officer of the Authority may require an importer, a supplier or a distributor to provide samples of equipment and supporting documentation. (3) Where equipment is found to be compliant, the Authority shall return the sample to the person from whom it was obtained. (4) Where equipment is found to be non-compliant, the Authority may issue a written directive requiring corrective measures, the suspension of sale or a recall, in accordance with regulation 29. (5) The Authority may monitor emissions within the radio frequency spectrum to verify compliance with the Act and these Regulations.
Inspections.	28. Subject to the Act, an authorised officer of the Authority may, at all reasonable times, enter premises for the purpose of inspecting electronic communications equipment.
Non-compliant equipment.	29. (1) Where equipment is found to be non-compliant with these Regulations, the Authority may— (a) direct that the equipment be removed from the market; (b) require the recall of the equipment or the taking of corrective action; or (c) prohibit the further distribution of the equipment. (2) Where equipment poses an imminent risk to public safety or to the integrity of an electronic communications network, the Authority may issue an immediate suspension directive pending investigation.
Disposal of equipment.	30. Where equipment submitted for type approval testing is rendered unsuitable for return by reason of destructive testing, the Authority may dispose of the equipment after giving thirty days' written notice to the applicant.

PART IV—MISCELLANEOUS PROVISIONS

Offences.	31. A person who contravenes a provision of these Regulations commits an offence and is liable, on conviction, to the penalty provided under the Act.
Revocation. <i>L.N. No. 57 of 2010.</i>	32. The Kenya Information and Communications (Importation, Type Approval and Distribution of Communications Equipment) Regulations, 2010 are revoked.
Savings and transitional provisions.	33. (1) A type approval, a certificate or an exemption granted under the revoked Regulations and subsisting immediately before the commencement of

these Regulations continues in force and shall be treated as having been granted under these Regulations.

(2) Proceedings, rights, obligations and instruments subsisting under the revoked Regulations immediately before the commencement of these Regulations continue as if made or incurred under these Regulations.

(3) A period of time which began to run under the revoked Regulations and had not expired immediately before the commencement of these Regulations continues to run as if it had commenced under these Regulations.

FIRST SCHEDULE (r. 9)
APPLICATION FOR TYPE APPROVAL OF ELECTRONIC COMMUNICATIONS
EQUIPMENT

(r. 9(1))

This Form shall be accompanied by the fee set out in the Second Schedule and by the documents listed in Part D. The fee is not refundable.

A. APPLICANT DETAILS

Name of applicant	
Capacity of applicant (manufacturer, importer, distributor, licensee, personal use, or authorised representative)	
Registration or incorporation number (where applicable)	
Name of contact person	
Telephone or mobile number	
Email address	
Physical address	
Postal address, postcode and post office	
City and country	
Local representative appointed under regulation 6(2), and contact address (where the applicant is not resident in Kenya)	

B. EQUIPMENT DETAILS

B.1 Classification of the equipment (see regulation 2)

Commercial equipment ☐	Non-commercial equipment ☐
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B.2 Category of the equipment (tick as applicable)

Tick	Category	Examples
☐	RF modules	Short range devices, IoT modules, Mi-Fis, CPEs
☐	Telematic devices	Trackers, LoRaWAN devices
☐	Mobile phones and radios	Feature phones, smartphones, satellite phones, push-to-talk radios, two-way radios, IP phones, DECT phones
☐	Networking equipment	Routers, switches, servers, firewalls, access points, modems, gateways, Wi-Fi repeaters, PABX, OLT, ONT, Satellite Internet Terminal
☐	Satellite network equipment	VSAT, BUC, LNB,
☐	Microwave radio	Point-to-point and point-to-multipoint radios

Tick	Category	Examples
☐	GSM equipment	GSM repeaters, active antennas, RRUs, eNodeBs, 5G NR, MSC, BSC
☐	TV or radio transmitters	FM, DAB and digital television transmitters
☐	Broadcast network equipment	STL, encoders and decoders

B.3 Equipment and manufacturer information

Trade or brand name	
Marketing name	
Model number	
Manufacturer	
Address of manufacturer	
Country of manufacture	
Description of equipment and intended use	
Frequency band or bands of operation (where applicable)	
Interface specifications (where applicable)	
Software or firmware version	
Internet protocol address capability (IPv4 only; IPv4 and IPv6; or not applicable)	

C. CATEGORY OF TYPE APPROVAL APPLIED FOR

Standard type approval ☐	Provisional type approval ☐
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Where provisional type approval is applied for, complete the following—

Purpose (trial, demonstration, research or testing of new technology)	
Proposed duration of the activity	
Geographical area of deployment	
Number of units involved	
Proposed recipients of the units (where applicable)	

D. SUBMISSION CHECKLIST

The following shall accompany this application (tick as applicable)—

A letter of agency from the manufacturer or the distributor bearing valid and verifiable contact addresses and, where issued by a distributor, accompanied by the letters of delegation of authorisation linking the distributor to the manufacturer	☐
A sample of the equipment, where required by the Authority, in good working condition, properly configured for testing, complete with the necessary test adapters and accessories, and clearly marked with the trade name, the model and the serial number or IMEI number	☐
The technical specifications of the equipment, on the official documentation of the manufacturer	☐
The user manual of the equipment	☐
The declaration of conformity issued by the manufacturer	☐
Evidence of the accreditation of the testing laboratory to ISO/IEC 17025 by an accreditation body which is a signatory to the mutual recognition arrangement of the International Laboratory Accreditation Cooperation	☐
Evidence of payment of the prescribed fee	☐

Note: All submitted documents must be in English

E. TEST REPORT CHECKLIST

Test reports, in English, issued by an accredited laboratory, accompany this application in respect of the following (tick as applicable)—

Radio frequency (RF) spectrum	☐
Electromagnetic compatibility (EMC)	☐
Health and safety, including the specific absorption rate (SAR)	☐
Technology-specific parameters	☐
Restriction of hazardous substances (RoHS)	☐
IPv6 capability	☐

F. DECLARATION

I declare that—

- (a) the information provided in this application and in the accompanying documents is true and correct;
- (b) the equipment complies with the applicable standards;
- (c) no material modification has been made to the equipment other than a modification disclosed in this application;
- (d) I undertake to notify the Authority of any modification affecting compliance after the grant of the type approval;
- (e) I acknowledge that a type approval granted on the basis of untrue or incorrect information may be revoked under regulation 18, and I undertake, in that event, to withdraw the affected equipment from the market; and
- (f) I understand that it is an offence to give false or misleading information to the Authority.

Name and designation	Signature	Date

SECOND SCHEDULE**TYPE APPROVAL FEES**

All amounts are in Kenya Shillings. The expressions “commercial equipment” and “non-commercial equipment” have the meanings assigned to them in regulation 2.

TYPE APPROVAL FEES —

The fee is payable in respect of each application, per make and model of the equipment.

Item	Category of equipment	Examples	Fee
1	RF modules	Short range devices, IoT modules, Mi-Fis, CPEs	10,000
2	Telematic devices	Trackers, LoRaWAN devices	10,000
3	Mobile phones and radios	Feature phones, smartphones, satellite phones, push-to-talk radios, two-way radios, IP phones, DECT phones	10,000
4	Networking equipment	Routers, switches, servers, firewalls, access points, modems, gateways, Wi-Fi repeaters, PABX, OLT, ONT, Satellite Internet Terminal	20,000
5	Satellite network equipment	VSAT, BUC, LNB,	120,000
6	Microwave radio	Point-to-point and point-to-multipoint radios	60,000
7	GSM equipment	GSM repeaters, active antennas, RRUs, eNodeBs, 5G NR, MSC, BSC	60,000
8	TV or radio transmitters	FM transmitters (commercial and community), DAB transmitters, digital television transmitters	60,000
9	Broadcast network equipment	STL, encoders and decoders	60,000

Note—A fresh application required under regulation 17(4) following a material modification attracts the fee applicable to the category of the equipment under this Part.

Made on the, 2026.

WILLIAM KABOGO GITAU,

Cabinet Secretary for Information, Communications and the Digital Economy.