Frequently Asked Questions

A. UNDERSTANDING EPR

1. What is Extended Producer Responsibility (EPR)?

EPR is a mandatory approach that requires producers to take responsibility for the environmental impacts of products they introduce into the market, including the management of waste arising from those products and their packaging at the end of their useful life.

2. Which businesses are required to comply with EPR?

The Regulations apply to producers of products listed in the First Schedule, and to EPR compliance schemes. Producers include manufacturers, importers, refillers, repackagers, rebranders, brand owners and converters among others.

3. Who is a producer?

A producer is an entity that introduces goods, products and packaging into the Kenyan market through manufacturing, importing, converting, filling, refilling, repackaging or rebranding.

4. Which products are regulated?

The five categories of products listed in the First Schedule: packaging for non-hazardous products; hazardous products' packaging, treated wood and agricultural films; electrical and electronic equipment, mercury auto switches, thermostats, batteries and accumulators; end-of-life vehicles; and non-packaging items such as furniture (except wooden and metallic), rubber and tyres, textiles, leather, artificial hair, diapers and sanitary towels.

5. Are there any exemptions?

No, not for regulated products. Only products that fall outside the First Schedule are not covered. The lack of an established compliance scheme does not exempt a producer (Regulation 8(3)).

6. Does EPR apply to both a product and its packaging?

Yes. Under Regulation 2, packaging is also treated as a product. When declaring a product, the producer should also account for its packaging. For example, a producer of electric generators declares the generator and its packaging.

7. Is there a difference between a manufacturer and a brand owner under EPR?

No. Both are producers who introduce products into the Kenyan market. Where more than one party is involved in the same product's value chain, each should account for its own share and map the value chain to avoid double counting.

8. When did implementation begin?

The Regulations were published on 4 November 2024. Producers already in operation had six months to apply for registration. Importers have obtained the EPR Import Certificate through the single window since 14 March 2026.

B. REGISTRATION, SCHEMES AND FEES

9. Where do I register as a producer?

On the NEMA eCitizen portal: nema.ecitizen.go.ke. Apply online, attach your company registration certificate and a document showing the goods, products and packaging you introduce, and pay the one-off KSh 5,000 fee. Certificate processed within 21 days.

10. Must a producer join a Producer Responsibility Organisation (PRO)?

A producer must fulfil its obligations either by setting up an individual scheme or by joining a collective scheme (Regulation 8). It may transfer part or all of its obligations to a PRO under a membership agreement. The absence of a scheme does not exempt a producer.

11. What is a Producer Responsibility Organisation (PRO)?

A PRO is a producers' membership organisation set up to assume the legal obligation to implement EPR on behalf of its members in a collective scheme. Its work includes organising collection, transportation, recycling or recovery, public awareness and reporting, developing markets for secondary raw materials, and research on material recovery.

12. Which PROs are registered?

Four PROs are registered so far: KEPRO (Kenya Extended Producer Responsibility Organization), PAKPRO (Packaging Producer Responsibility Organisation), HAPROK (Kenya Hazardous Waste Producer Responsibility Organization) and EPROK (Electronic Waste Producer Responsibility Organization of Kenya). A producer may also register an individual scheme.

13. How much do I pay, and how are EPR fees determined?

You pay the PRO's membership fee, which each PRO determines, and an EPR fee that is agreed among the producers in the scheme. The EPR fee is calculated using the same parameters for every member, guided by Regulation 18: quantity placed on the market, segregation at source, recyclability and recoverability, markets for secondary raw material, additives, environmental footprint and fulfilment of obligations. The scheme submits the agreed fee structure to NEMA.

Registration, licence and import fees are set by the Regulations themselves. Importers pay KSh 150 per item of a finished First Schedule product at the point of import.

14. Can I change from one PRO to another?

Only at the beginning of a new contract year, after giving the PRO three months' notice and copying NEMA (Regulation 11(7)).

C. IMPORTS AND EXPORTS

15. I import products into Kenya. Do I need an EPR Import Certificate?

Yes, if you import a product listed in the First Schedule. You must be registered as a producer, and you must obtain an EPR Import Certificate for the consignment. Producer registration and the import certificate are separate steps.

16. Where do I apply for the EPR Import Certificate?

On the National Electronic Single Window System (Trade Facilitation Platform) managed by KenTrade. Your clearing agent can lodge the application. You must already hold a Producer Registration Certificate.

17. Do I need a certificate for every shipment?

Yes. The certificate is obtained for each consignment, every time you import.

18. How long does the EPR Import Certificate take? Will NEMA fast-track approval?

NEMA is aware of the import environment and will fast-track approval to support ease of doing business.

19. Does EPR affect exports?

EPR applies to products introduced into the Kenyan market. The Regulations have no export certificate or fee.

20. Does EPR apply to imports that generate waste in Kenya?

Yes. Products and packaging imported for sale/use in Kenya become waste in Kenya, so the importer carries the producer's responsibility for managing it.

D. REPORTING, COMPLIANCE AND ENFORCEMENT

21. What quantities should a producer declare?

Producers should declare the products and packaging they introduce into the Kenyan market, accurately and completely, and consistently with their records.

22. When are reports due?

Individual and collective schemes submit their annual report for the preceding year to NEMA by 31 January each year (Regulation 19(3)).

23. What does product identification and tracking mean?

It means marking and labelling that make a product, its contents and its packaging traceable throughout their life cycle.

24. What is free-riding, and why is it bad?

A free rider benefits from the EPR system without contributing to it: for example a producer outside a scheme that does not manage its own products, a producer that under-declares volumes, or a scheme member that does not pay or report accurately. That shifts the cost onto producers who comply, weakens collection and recycling, and leaves waste in the environment. Free-riding is an offence under Regulation 21.

25. What happens if a producer does not meet its EPR obligations?

Failure to meet obligations is an offence under Regulation 21. This includes free-riding, giving false or misleading information on quantities, and introducing products for an unregistered producer. NEMA may take enforcement action, and a court may order the producer to bear the cost of managing the obligation.

26. Who is responsible when a product becomes waste and is discarded in the environment?

Producers bear the primary obligation. Other actors in the waste chain, including waste service providers and consumers, have responsibilities within their own roles. Consumers should dispose of waste responsibly and use available collection or recovery systems.

27. How does EPR benefit waste pickers?

EPR schemes fund collection and recovery systems that involve waste pickers, collection points and material recovery facilities. NEMA registers collection points, collection centres, transporters, material recovery facilities and landfills, and county governments register waste service providers. Arrangements for participation and payment are set out in each scheme.

28. How does NEMA protect information submitted by producers?

NEMA has an established system for keeping submitted data confidential and keeps final custody of the data within the applicable laws on confidentiality and data protection.

29. Can I challenge a NEMA decision?

Yes. A person or entity aggrieved by a decision of NEMA under the Regulations may appeal to the Tribunal (Regulation 20).

30. Where can I obtain EPR requirements and guidance?

Visit the EPR page on the NEMA website (nema.go.ke) for the Regulations, public notices and FAQs. Register as a producer through NEMA eCitizen and apply for EPR Import Certificates through the [KenTrade National Electronic Single Window System](https://tfp.kentrade.go.ke/).

14. Ready-to-Use Social Media Posts

Post 1: What is EPR?

Did you know that a producer's responsibility does not end when a product is sold?

Extended Producer Responsibility (EPR) requires producers to take responsibility for the environmental impacts of their products and the waste they generate after use.

Through EPR, Kenya is promoting responsible production, improved waste collection, recycling, recovery and a circular economy.

Circularity is the destination, but effective waste management is the foundation.

Post 2: Who must comply?

Are you a manufacturer, importer, refiller, repackager, rebrander, brand owner or converter?

The Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024 establish obligations for producers of products listed in the First Schedule. There are no exemptions for regulated products.

Know your obligations. Register. Comply. Report.

Post 3: Products and packaging

What happens to a product or its packaging after use?

Plastic bottles, cardboard boxes, containers and other discarded materials can contribute to pollution when poorly managed. EPR promotes systems for collecting, recovering, recycling and managing products and packaging at the end of their useful life.

Use responsibly. Dispose properly. Support recycling.

Post 4: What is regulated?

Five categories are covered by the EPR Regulations: packaging for non-hazardous products; hazardous products' packaging, treated wood and agricultural films; electrical and electronic equipment and batteries; end-of-life vehicles; and non-packaging items such as tyres, textiles, diapers and sanitary towels.

Check the First Schedule of EPR regulations available on NEMA website. If your product is listed, EPR applies.

Post 5: Where do I register?

Producers register on the NEMA eCitizen portal: nema.ecitizen.go.ke.

Have your company registration certificate and a list of the goods, products and packaging you introduce ready. Registration is a one-time step, and NEMA processes the application within 21 days.

Register. Comply. Report.

Post 6: EPR and imports

Importing products into Kenya?

Importers of First Schedule products must register as producers and obtain an EPR Import Certificate for each consignment on the KenTrade single window.

One consignment, one certificate. Register first, submit accurate information and apply early.

Post 7: NEMA is fast-tracking approvals

We know time matters at the border.

NEMA is aware of the import environment and will fast-track approval of EPR Import Certificates on the KenTrade single window.

Help us help you: register as a producer first and submit complete, accurate information for every consignment.

Post 8: PROs registered

Four Producer Responsibility Organizations (PROs) are registered so far: KEPRO, PAKPRO, HAPROK and EPROK.

A PRO carries out EPR obligations on behalf of its members. Not sure which one fits your products? Check the PRO's focus area/ find out more from respective webistes, or set up an individual scheme.

Post 9: What will it cost?

PRO membership fees are set by each PRO. EPR fees are agreed among producers in the scheme and calculated using the same parameters for all members, as set out in Regulation 18: quantity, segregation, recyclability, recoverability and more.

Ask your PRO for its fee structure.

Post 10: Does EPR affect exports?

EPR follows products into the Kenyan market, not out of it.

It applies to products and packaging introduced to Kenya, including imports that become waste within the republic. Goods taken out of Kenya are not imports.

Post 11: Free-riding is an offence

Skipping EPR does not make the waste disappear. It shifts the cost onto producers who comply and onto our environment.

Under-declaring volumes, not paying your scheme or staying outside a scheme without meeting your obligations is an offence under the EPR Regulations. Do your share.

Post 12: Waste pickers are part of the solution

Waste pickers are important players in Kenya's circular economy.

Through EPR systems, producers and compliance schemes support the collection and responsible management of post-consumer waste. Waste pickers and other waste service providers help recover valuable materials and reduce waste sent to disposal facilities.

Every material recovered is a step towards a more circular economy.

Post 13: Compliance is a shared responsibility

Effective waste management requires action from producers, consumers, waste collectors, recyclers, counties and other stakeholders.

EPR strengthens producer accountability, while proper waste segregation, responsible disposal and support for recycling help ensure that materials are recovered and managed safely.

Our environment. Our responsibility. Our future.