



## **KENYA ACCREDITATION SERVICE**

### **REGULATORY IMPACT STATEMENT (RIS)**

**KENYA ACCREDITATION SERVICE (FEES) REGULATIONS, 2026**

**MAY 2026**

## **1. Introduction**

The Kenya Accreditation Service (Fees) Regulations, 2026 seek to establish a transparent, cost-reflective, and sustainable fees framework for accreditation and related services provided by KENAS. The proposed fees are informed by a comprehensive review undertaken in 2024, which considered prevailing economic conditions, inflationary trends, operational costs, and a comparative analysis of accreditation fees charged by peer accreditation bodies operating in Kenya and the region.

The review established that KENAS fees had remained unchanged since 2011, despite significant increases in the number of accredited conformity assessment bodies (CABs), expansion of scopes, rising operational costs, and inflation. Comparative benchmarking against SANAS, SADCAS, DAKKS and other international accreditation bodies further demonstrated that KENAS fees were substantially lower than regional and international averages.

The Regulations therefore aim to ensure financial sustainability of the national accreditation infrastructure, enhance service quality, and promote fairness and predictability, while remaining competitive and proportionate. Adoption of the Regulations is recommended as the most effective and legally sound option.

## **2. Background and Policy Context**

- a) Mandate of KENAS under the Kenya Accreditation Service Act (Cap. 496A).
- b) Role of accreditation in quality infrastructure, trade facilitation, public safety, and international recognition.
- c) Need for a clear, transparent, and cost-reflective fees framework.

## **3. Problem Statement**

The accreditation fees charged by KENAS were last revised and gazetted in 2011. Since then, the economic environment within which the Service operates has changed significantly. Inflation, increased operational and personnel costs, expanded accreditation scopes, and higher service delivery expectations have not been matched by corresponding adjustments in fees.

As a result, the existing fees no longer adequately recover the costs of delivering accreditation services, placing pressure on the financial sustainability of the Service. Additionally, the presence of foreign accreditation bodies operating in Kenya and charging significantly higher fees has created market distortions, potentially disadvantaging the national accreditation body.

Without a revised and legally anchored fees framework, KENAS faces challenges in meeting its statutory obligations, maintaining international recognition, and delivering timely and credible accreditation services that support public interest and trade facilitation.

#### **4. Statement of the Objectives and Reasons for the Proposed Regulation**

The objects of these Regulations are:

- a) To establish a clear and predictable fees regime for accreditation and related services.
- b) To ensure cost recovery and financial sustainability of KENAS.
- c) To promote fairness, transparency, and non-discrimination in charging of fees.
- d) To support national, regional, and international trade through credible accreditation services.

#### **5. Description of the Proposed Regulatory Intervention**

- a) Introduction of the Kenya Accreditation Service (Fees) Regulations, 2025.
- b) Scope of application of fees:
  - (i) Accreditation of conformity assessment bodies.
  - (ii) Exemption of conformity assessment bodies accredited by foreign Accreditation Bodies.
- c) Fee categories as provided in the Schedule (Accreditation Fees and Exemption Fees).

#### **6. Statement on Regulatory & Non-Regulatory Options**

##### **6.1 Option 1: Status Quo**

Maintaining the existing fees framework, last revised in 2011, would preserve shortterm affordability for some clients but would perpetuate structural under recovery of costs, undermine service quality, and weaken KENAS's competitiveness against foreign accreditation bodies operating in Kenya.

##### **6.2 Option 2: Administrative Review without Regulations**

Adjusting fees through internal or administrative instruments without subsidiary legislation would lack legal certainty, transparency, and predictability. This option would also expose the Service to legal and governance risks and would not meet best practice requirements for regulatory accountability.

##### **6.3 Option 3: Enactment of the Fees Regulations (Preferred Option)**

The enactment of the Kenya Accreditation Service (Fees) Regulations, 2026 provides a legally grounded, transparent, and predictable framework. The option is supported by detailed cost analysis and benchmarking against peer accreditation bodies that hold similar international recognition status as KENAS and currently offering accreditation in Kenya.

#### **7. Analysis of Impacts**

##### **7.1 Economic Impact**

The proposed fees have been benchmarked against accreditation fees charged by foreign accreditation bodies actively operating in Kenya and the East African region.

The comparative analysis demonstrates that KENAS's current fees are significantly lower than those charged by these foreign bodies across key service categories, including application fees, document review, initial assessments, annual accreditation fees, surveillance, and additional assessor days.

The proposed KENAS fees remain moderate and competitive, even after revision, and in many instances are still below regional and international benchmarks when converted to Kenya Shillings. The introduction of fixed USD-denominated fees for foreign clients further enhances predictability, mitigates foreign exchange risks, and ensures parity between local and foreign-accredited conformity assessment bodies.

By correcting historical underpricing while remaining competitive, the proposed fees reduce market distortions, protect the viability of the national accreditation system, and promote fair competition between domestic and foreign accreditation providers.

## **7.2 Social Impact**

A sustainable accreditation system supports public health, safety, environmental protection, and consumer confidence by ensuring the competence of laboratories, inspection bodies, and certification bodies. Improved service delivery timelines and credibility of accreditation outcomes will have positive downstream social benefits.

## **7.3 Impact on SMEs**

Small and medium-sized conformity assessment bodies may experience marginal cost increases. However, the fees are structured to reflect actual service delivery costs, and accreditation enhances SMEs' market access, competitiveness, and credibility. Group accreditation and multisite fee structures also promote economies of scale.

## **7.4 Environmental Impact**

The proposed Regulations have no direct negative environmental impacts. Indirectly, accredited conformity assessment bodies support environmental compliance and sustainability across various sectors.

## **7.5 Impact on Government**

The Regulations will reduce reliance on exchequer funding by improving KENAS's internally generated revenue. They also strengthen Kenya's national quality infrastructure, supporting industrial development, trade facilitation, and regulatory effectiveness.

## **8. Cost-Benefit Analysis**

The proposed fees are based on detailed costing of accreditation workflows, including application processing, document review, pre-assessment, onsite assessments, surveillance, and clearance of non-conformities. Cost calculations were derived from the current KENAS salary structure, assessor daily rates, and time apportionment for

senior management, technical staff, and assessors, as detailed in the internal costing schedules.

Key cost drivers include personnel costs, assessor fees, administrative processing, quality assurance activities, and maintenance of international recognition obligations. The analysis expressly excludes client-specific costs such as transport, accommodation, and courier services, which are borne directly by clients.

Comparative analysis against South African National Accreditation System (SANAS), The Southern African Development Community Accreditation Services (SADCAS), Dutch Accreditation Council (RvA) and the German Accreditation Body (DAkKS), demonstrates that KENAS's proposed fees remain generally below or within the lower band of regional and international benchmarks for equivalent accreditation services, even before accounting for additional surcharges commonly applied by foreign accreditation bodies (e.g. travel-day fees, contingency fees, and administrative mark-ups).

The benefits of the proposed fees include improved financial sustainability of the Service, enhanced quality and timeliness of accreditation services, retention of competent assessors, and continued international recognition. When weighed against the moderate increase in fees, the long-term economic and public interest benefits to Kenya's national quality infrastructure substantially outweigh the costs.

## **9. Implementation, Compliance and Enforcement**

The Kenya Accreditation Service (Fees) Regulations, 2026 will be implemented upon coming into force as prescribed. All applications, renewals, surveillance activities, extensions of scope, and related services initiated after the effective date shall be subject to the new fees.

KENAS will issue administrative guidance to clients to facilitate smooth transition, including clarification on the applicability of fees to ongoing assessments. Compliance will be enforced through existing accreditation procedures, including issuance of invoices, suspension of processing for non-payment, and linkage of accreditation decisions to settlement of applicable fees.

The introduction of fixed USD-denominated fees for foreign clients enhances compliance, predictability, and administrative efficiency.

## **10. Monitoring and Evaluation**

The impact of the Fees Regulations will be monitored through defined performance indicators, including Cost recovery ratios and internally generated revenue; Timeliness and quality of accreditation services; Number of accredited conformity assessment bodies; Stakeholder satisfaction and feedback; Maintenance of international recognition and peer evaluation outcomes.

A review of the fees framework will be undertaken periodically to ensure continued relevance, proportionality, and alignment with economic conditions.

## **11. Conclusion and Recommendation**

The Kenya Accreditation Service (Fees) Regulations, 2026 provide a necessary and proportionate response to longstanding underpricing of accreditation services, rising operational costs, and evolving market conditions. The proposed fees are grounded in detailed cost analysis and informed by regional and international benchmarking, while remaining competitive and fair.

The Regulations will strengthen the financial sustainability of KENAS, enhance service delivery, and safeguard the integrity of Kenya's national accreditation system. It is therefore recommended that the Kenya Accreditation Service (Fees) Regulations, 2026 be adopted and implemented.