
THE EAST AFRICAN COMMUNITY

ACT SUPPLEMENT

No. 5

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THE EAST AFRICAN COMMUNITY CUSTOMS MANAGEMENT
(AMENDMENT) ACT, 2012

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Amendment of section 2.
3. Insertion of section 249A

N/A

THE EAST AFRICAN COMMUNITY CUSTOMS
MANAGEMENT (AMENDMENT) ACT, 2012

**An Act of the Community to amend the East African
Community Customs Management Act, 2004.**

Date of assent 30th March, 2012

Date of commencement 6th July, 2012

ENACTED by the East African Community and assented to by
the Heads of State.

1. This Act may be cited as the East African Community Short title
Customs Management (Amendment) Act, 2012.

2. Section 2 of the East African Community Customs Amendment
of section 2.
Management Act, 2004 in this Act referred to as the “principal
Act” is amended by inserting in their appropriate alphabetical
positions, the following new definitions—

“arms trafficking” means the illegal trafficking or
smuggling of contraband weapons or
ammunition;

“counterfeit goods” means goods that are the result of
counterfeiting, including unauthorised
commercial dealing in copyright protected
works, and includes any tools used for the
purposes of counterfeiting, and goods that are a
result of imitation with an intention to deceive
or forge;

“drug trafficking” means the illicit importation, exportation, manufacture, buying, sale, giving, supplying, storing, administering, conveyance, delivery or distribution by any person, of a narcotic drug or psychotropic substance or any substance represented or held out by such person to be a narcotic drug or psychotropic substance or making of any offer in respect thereof;

“intellectual property right” means—

- (a) the rights in respect of a trade mark conferred by the trade mark laws of the relevant Partner State;
- (b) the copyright and related rights in any work or any right protected in terms of the copyright laws of the relevant Partner State;

Insertion of
section
249A

3. The principal Act is amended by inserting immediately after section 249, the following new section—

“Prevention
and
suppression
of particular
crimes

249A (1) The Customs shall collaborate with the relevant authorities in the Partner States to prevent and suppress money laundering, drugs and arms trafficking, trafficking in human body parts, dealings in counterfeits, infringement of intellectual property rights.

(2) In performing the functions specified under subsection (1), the Customs shall—

- (a) provide the necessary information to the relevant authorities in the Partner States and at regional level;

(b) work in collaboration with the relevant authorities in any relevant investigation;

(c) perform any other function related to the activities specified under subsection (1).

(3) In this section “relevant authority” means an authority in the Community which is authorized to perform a specified function.”