

The Republic of Kenya



About Kenya

Capital city:

- Nairobi

Monetary Unit:

- Kenyan shillings (KES)

Major Language:

- English, Kiswahili

Main Exports:

- Petroleum Products
- Tea & Coffee
- Horticultural products
- Iron & Steel

Natural Resources:

- Hydropower
- Gemstones
- Limestone
- Salt

Our Immigration Services in Kenya

Business Travel – Visas for foreign nationals who require a visa for entry to Kenya for short-term business travel

Work Permits for Foreign Nationals – Entry Permit applications for foreign nationals wishing to engage in employment in Kenya (gainful employment or voluntary service)

Residence Permits for Foreign Nationals – Special Pass applications for foreign nationals on assignments of short duration not exceeding three (3) months and Dependent Pass applications

The Kenyan Economy

Kenya has a free enterprise economy and the strongest industrial base in the eastern and central African region. Home to approximately 41 million people, it is considered the regional hub for Trade, Finance, Communication and Transportation in East Africa. The Nairobi Stock Exchange (NSE) is ranked 4th in Africa in terms of market capitalization. Kenya's recent regulatory reforms and the promulgation of a new Constitution have made it increasingly attractive to investors.

A member of the World Trade Organization since its inception in 1995, Kenya also has a number of tax treaties and investment promotion and protection Agreements. Exports from Kenya enjoy preferential access to world markets under a number of special access and duty reduction programs. Kenya is signatory to various agreements aimed at enhancing trade amongst member states. Main import partners to Kenya include: UAW, India, China, Saudi Arabia, South Africa, Japan and the United States.

Kenya's GDP is on the rise and expected to continue to increase due to expansions in tourism, including ecotourism, telecommunications, transportation and construction. The World Bank and other sources project Kenya's Economic Growth in 2011-2012 to range between 5.3 and 6.0%. Kenya Economic Update, December 2010, www.worldbank.org/kenya.keu.

For more detailed information about Kenya's Economic Outlook, visit: <http://tinyurl.com/4yyucf7>

Business Travel to Kenya

Foreign nationals who wish to travel to Kenya should ensure their passports are valid for at least six months. Single or Multiple Journey

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Visas may be obtained and permit entry to Kenya to attend conferences, workshops, seminars or discussions. Most stays for business or tourism purposes will be limited to 90 days.

The Kenyan Ministry of Foreign Affairs maintains a list of foreign entry requirements per country at the following web site: <http://www.mfa.go.ke> and Kenyan Embassy/ Consular web sites: <http://tinyurl.com/43ytqbs>

U.S. Citizens and EU-state passport holders are advised to obtain a visa prior to arrival to Kenya. Although it is possible for holders of these two types of passports to apply for the visa on arrival in Kenya it is not advisable due to long queues at the airport for visa applications.

Foreign nationals who require a visa to enter Kenya should plan to apply for their visa at least 60 days in advance. For a list of Kenyan Embassies and Consulates abroad, visit: <http://tinyurl.com/66mdf35>

Living in Kenya

The Government allows investors to have key expatriate staff in senior management positions or where locals with specific skills are not available. Work permits for such expatriates are issued by the Immigration Department and are valid for one to two years, renewable on application.

The expatriate community in Kenya is extremely diverse and continues to grow, particularly in Nairobi, Mombasa and Eldoret. Kenya is a multilingual country, with over 60 languages spoken. Many expatriates in Kenya report that while English is primarily spoken, speaking Swahili has improved their ability to communicate and negotiate prices for goods.

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Kenyans are widely considered as generally, very friendly, although some can be cautiously welcoming to foreigners. As a culture, Kenyans are known to be hardworking and family-oriented. Crime and social unrest is present but many expatriates report that, with due care, particularly at night, most dangerous situations can be avoided.

In local custom, referring to a person by their surname, instead of their given name, is a form of acknowledging friendship and honoring bloodline.

Kenyan Business Culture

Handshakes are the most common greeting in business. Men should wait for a woman to extend her hand first. Presentation and receipt of business cards with two hands is customary. Meeting schedules are generally structured, particularly in British and Indian-owned companies.

Generally, business colleagues inquire about each other's family before beginning a business discussion. Direct communication can be considered rude. Kenyans often use metaphors, analogies and stories to make a point rather than frankness.

Kenyan Work Permit Process

1

Entry Permit or Special Pass application is filed with the Immigration Department and payment of fees upon approval of application

2

Entry Permit issuance and endorsement of Re-entry Pass in the expatriate's passport which will facilitate travel in and out of the country as they wish for the validity of the entry permit

3

Alien Card Registration – All Entry permit holders are required to register as foreign nationals working in Kenya and would be issued with an Alien Card Certificate. This would be used as a form of identification rather than carrying around a passport and also allows for entry into Kenya's Game Parks at Resident rates

Common Types of Work Authorization for Investors & Multinationals in Kenya

Class A Permit – For persons offered specific employment by a specific employer who is qualified to undertake that employment, and whose engagement in that employment will benefit Kenya

Class H Permit – For investors in trade or business of a minimum of US \$100,000

Class I Permit – For investors in the manufacturing sector of a minimum of US \$100,000

Special Pass – For persons given specific employment by specific employer for a short duration not exceeding three (3) months

How Goel & Anderson can assist your organization in Kenya

Organizations that wish to employ foreign workers abroad require an immigration service provider with a record of successfully coordinating and delivering global, business immigration services for multinational organizations. Goel & Anderson practices exclusively in the field of immigration to assist your company with the recruitment, hiring, and retention of foreign workers across the globe, including Kenya. We understand that time and resources are valuable to your business and that staffing an international project can be critical to your business' reputation and success. We are committed to efficiently delivering business immigration solutions that combine broad global coverage with a depth of local expertise.

We carefully select co-counsel who share our service and compliance-oriented approach to meet the needs of organizations doing business in the global marketplace. Our Global

Immigration group and local counsel work closely together to ensure comprehensive business coordination and seamless delivery of services. Our immigration services include end-to-end processing, including: Work Permit and Visa Application preparation and filing; detailed guidance on entry and post-entry requirements; and tracking key expiration dates. Personal representation at the Kenyan Embassy or Consulate abroad and Local Immigration Department may be available.

If your Kenyan office anticipates engaging foreign talent, an early analysis of immigration options and strategies, as well as a thorough understanding of the sponsorship obligations, will better position your project for success. We also understand that despite careful planning, emergent issues can arise. We are well positioned to assist your business to address unexpected business requirements.

With headquarters outside of Washington, DC in Reston, Virginia and operations in Pune, India, Goel & Anderson is an immigration firm that is international in scope and personal in nature. We are known as a firm that is highly professional and also highly human. We offer clients extensive experience and a comprehensive understanding of all areas of business, employment, and family-based immigration law worldwide.

For more information about our Global Immigration Practice and services, please contact Jill Marie Bussey at jill.bussey@goellaw.com or +1 703.796.9881.

*Goel & Anderson, LLC does not engage in the practice of law within India. All services in India are provided by our affiliate, G&A Immigration Services Private Limited.

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Innovative Approaches to Immigration Law

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