

ENGINEERS ACT, 2011
THE ENGINEERS REGULATIONS, 2013

Section A

PART I

PRELIMINARY PROVISIONS

IN EXERCISE of the powers conferred by section 58 of the Engineers Act, 2011 the Cabinet Secretary, Transport and Infrastructure makes the following regulations;

1. These regulations may be cited as the Engineers Regulations, 2013 and shall come into operation on the date of publication.
2. In these Regulations unless the context otherwise requires:-

“Act” means the Engineers Act, 2011

“Foreign person” has the same meaning as under Section 2 and Section 22 and 23 of the Act and includes engineering consulting firm.

“academic award” means any certificate, diploma, degree in engineering and/or its equivalent which is recognized by the Board for registration;

“bridging course” means a course which complements the basic qualification in the form of post-graduate course in engineering to the extent deemed sufficient to that of an engineering degree or its equivalent.

“continuing professional development” means systematic maintenance, improvement and broadening of knowledge and skills, and the development of personal qualities necessary for the execution of professional and technical duties throughout one’s working life;

“examination” means professional training report, professional interview or professional training report, professional interview or professional examination or a combination thereof;

“professional award” means any certificate issued by an engineering professional body which is recognized by the Board as furnishing sufficient guarantee of professional experience in engineering;

“professional development unit” means a unit of measure for effort invested in continuing professional development;

“relevant authority” means the Engineers Board of Kenya, National Construction Authority or Institution of Engineers of Kenya.

“structured continuing professional development activity” means a course or activity that has a specific objective and measurable outcome and has been accredited as such by the Board;

“structured training” means a mentored activity with a defined content, method and duration accredited by the Board that involves systematic improvement and broadening of knowledge and skills, and the development of personal qualities necessary for the execution of professional and technical duties ;

“unstructured continuing professional development activity” means an activity that involves self-directed learning, reading, discussion, participation in a learning activity that is approved by the Board;

“unstructured training” means a mentored activity without a defined content, method and duration approved by the Board that involves improvement and broadening of knowledge and skills, and the development of personal qualities necessary for the execution of professional and technical duties;

“works” means the works in connection with which the client has engaged the Consulting Engineer to perform professional services.

PART II

PROVISIONS RELATING TO REGISTRATION OF ENGINEERS

Requirements for registration as Professional/Consulting engineer

3(1) Further to the provisions under section 16, of the Act, a person shall be eligible for registration as a Professional engineer or Consulting engineer on making an application to the Board and the applicant shall further comply with the following:-

- (a) The application for registration shall be made in English;

- (b) Translation of certificates and certifications shall be done in English and by competent authorities;
- (c) Provide proof of registration as a graduate engineer by the Board;
- (d) Provide proof of registration as a Corporate Member of the Institution of Engineers of Kenya.
- (e) Have achieved practical experience in a specialized engineering field for a period of three (3) years for Professional engineer and fifteen (15) years for Consulting engineer.
- (f) Subject to the provision of sub-regulation 3 (1)(e) The Board may approve registration of an applicant to be a Consulting engineer if the applicant has practical experience of not less than three years as a registered Professional engineer and has satisfied the Board as to his professional competency.
- (g) Provide proof in writing of the practical experience which shall include details of durations and the description of the practical experience obtained with an endorsement by the supervising Consulting Engineer that the applicant seeking registration as a Professional engineer has satisfactorily acquired the practical experience.
- (h) Subject to the provision of regulation 3(1)(g) practical experience shall be in the form of a Practical Training Report written in accordance with the Boards set criteria.
- (i) Provide proof that the applicant has passed professional assessment examination conducted by the Board oral/written or both.
- (j) Provide certified copies of such certificates or other documents as are necessary to support those qualifications;
- (k) The application shall be made on the prescribed form and on payment of the prescribed fees as set by the Board.
- (l) Provide proof of payment of the prescribed fee as set by the Board from time to time.
- (2) The Board may at its discretion require that original certificates or documents be submitted for authentication while processing the application.

- (3) The Board shall process and make a decision on an application which fulfills the prerequisite for registration within four (4) months from the date of receipt.
- (4) Processing of such application shall be done in accordance with the set evaluation criteria by the Board.
- (5) An application that does not fulfill the prerequisite requirements as set out in sub-regulations 3(1-4) shall not be processed and the applicant may be required to submit better particulars within three (3) months from the date of receipt of such application.
- (6) The Board may require an applicant to furnish further information or evidence of eligibility for registration as it may deem fit.
- (7) The Board may require an applicant to attend in person before the Board or its sub-committee in some occasions.
- (8) The Professional Engineer, Consulting Engineer and Consulting Firm shall be required to possess Practicing Certificates issued by the Board in addition to the registration certificates.
- (9) The Professional or Consulting Engineers whose names have been deleted from the register shall have their practicing certificates revoked within fourteen days from the date the Board makes its decision.
- (10) Every practicing engineer shall carry the Practicing Certificate Identity Card and submit it to relevant authorities when required.
- (11) Practicing Certificates shall be valid for three years duration and shall expire on 31st December.

Requirements for registration as a Graduate Engineer

4(1) Further to the provisions of Section 18 of the Act, a person shall be eligible for registration as a Graduate engineer on making an application to the Board and the application shall be accompanied by:-,

- (a) Certified copies of certificates and other relevant documents from a recognized university as are necessary to prove qualification for registration.
- (b) Proof of citizenship.

- (c) Proof of payment of application fees as prescribed by the Board.
- (2) The application shall be made in writing and in English language in the prescribed form.
- (3) The Board shall process an application for an applicant who has fulfilled the requirements within two (2) months from the date of receipt of the application.
- (4) The applicant shall be notified of the decision of the Board within fourteen days from the date of making of such decision.
- (5) A successful applicant shall be issued with a certificate of registration by the Board.
- (6) A Graduate engineer who has successfully completed Structured Engineers Apprenticeship Programme for a period of three (3) years shall be considered for registration as a Professional engineer upon submission of the final report.
- (7) Further to sub-regulations 4(1-6), a Graduate engineer who has successfully completed Structured Engineers Apprenticeship Programme shall be considered for registration as a Professional engineer upon submission of:-
- (a) Dully filled application form and payment of the prescribed fees;
 - (b) Engineers Board of Kenya Final Professional Training Report;
 - (c) Engineers Board of Kenya Training Logbook; and
 - (d) Structured Engineers Apprenticeship Programme Completion Form
 - (e) Proof of practical experience for a minimum period of three (3) years
- (8) The application shall be processed by the Board in line with sub-regulation 4(3-5) above.
- (9) The Board shall register successful applicants as Professional engineers as under Section 16 of the Act.

Requirements for registration of an engineering consulting firm

5(1) Further to the provisions of Section 20 of the Act, a firm shall be eligible for registration as a consulting engineering firm on making an application to the Board in the prescribed form and payment of the prescribed fees , and further comply with the following:--,

- (a) Provide Certified copies of certificate of incorporation or registration
 - (b) Proof of citizenship of the directors.
 - (c) Proof of payment of application fees as prescribed by the Board.
 - (d) in case of a limited liability company, the Memorandum and Articles of Association certified by the Registrar of Companies.
 - (e) Proof that one of the shareholders is a licensed Consulting engineer.
 - (f) Proof that all other shareholders and all directors are professional engineers.
 - (g) Provide the Board with certified copies of PIN, VAT and Tax compliance certificates of the firm
 - (h) Provide evidence of existence of a bank account in the name of the firm
- (2) The application to shall be made in writing and in English language in the prescribed form.
- (3)The Board shall process an application for an applicant who has fulfilled the requirements within two (2) months from the date of receipt of the application.
- (4) The applicant shall be notified of the decision of the Board within fourteen days from the date of making of such decision.
- (5) A successful applicant shall be issued with a certificate of registration by the Board.
- (6) The Consulting Firm shall be required to possess an annual Practicing license issued by the Board in addition to the registration certificates upon payment of the prescribed fees.
- (6) The Consulting firm shall, within thirty days of the occurrence of any change of its sole proprietorship, or the composition of its partners, board of directors or its shareholders, furnish to the Board a true report in writing giving full particulars of the change and in the case of a limited company a copy of the revised shareholding certified by the Registrar of companies.

Requirements for Temporary registration

6(1) Further to the provisions of Section 23 of the Act, a person or firm shall be eligible for registration as a temporary engineer on making an application to the Board in the prescribed form and payment of the prescribed fees , and further comply with the following:-,

- (a) Proof of valid practicing license from the country of domicile.
- (b) Proof of previous engineering services done and completed in the past five years from other jurisdictions in case of a person or firm.
- (c) hold a certificate of incorporation or registration from an equivalent of the Registrar of Companies either as a limited liability company, partnership or sole proprietorship from the country of origin in case of a foreign firm.
- (d) in case of a limited liability company, the Memorandum and Articles of Association is certified by the equivalent of Registrar of Companies from their country of origin in case of a foreign firm.
- (e) Have one or more technical director/s that shall be authorized by the firm through a resolution of the Board to take responsibility on all technical matters.
- (f) Proof that one of the directors is a Professional engineer.
- (g) Provide the Board with the curriculum vitae for each Director / Partner.
- (h) Provide the Board with the PIN, VAT and Tax compliance.
- (i) Provide evidence of existence of a bank account in the name of the firm or person.
- (j) Provide an undertaking that the person or firm shall transfer technical skills not available locally, to Kenyan engineers as the Board may determine from time to time.
- (k) a foreign person or firm shall submit an undertaking in writing to the Board that it shall not source for any other contract or project during the

period of the existence of the contract or project for which registration is sought.

(2) An Engineering Consulting Firm shall have at least one registered Consulting engineer working in the specialized discipline in which an Engineering Consulting Firm is desirous of practicing.

(3) Registration shall be valid for the duration of the contract of project, renewable every one calendar year.

(4) Application for renewal of the license shall be submitted to the Board in writing within 60 days before the expiry of the current certificate.

(5) Registration shall lapse at the expiry of one calendar year from the date of the issuance of the certificate by the Board.

(6) The application shall be made to the Board in writing and in English language in the prescribed form and on payment of the prescribe fees.

(7)The Board shall process an application for an applicant that has fulfilled the requirements within one (1) month from the date of receipt of the application.

(8) The applicant shall be notified of the decision of the Board within fourteen days from the date of making of such decision.

(9) A successful applicant shall be issued with a practicing licence certificate, signed by the authorized person and bearing common seal of the Board.

Rejection of applications for registration by the Board

7(1) Every unsuccessful person/engineer/firm applying for registration in a particular category and not registered for not meeting the requirements for the category applied for, may, after notification by the Board and if so qualifies, be registered in a lower category.

(2)Subject to sub regulation 7(1) if a person agrees to apply for registration in a lower category, he shall be required to make the application in the prescribed form and on payment of the prescribed fees.

(3)The Board may reject an application made by any person/firm/or applicant that fails to comply with the requirements made under regulations 3, 4, and 5 above.

(4)The decision of the Board in relation to an application for registration shall be communicated to the applicant by the Registrar using the last known address on the application within fourteen (14) working days from the date of the Board's decision.

(5) If a person/firm/ or applicant, aggrieved by the decision of the Board as in regulation 3 (three),4 (four) and five (5) in relation to rejection of application, such a person may submit a petition in writing to the Board indicating the reasons for such grievance sufficient to justify review of the decision of the Board.

(6)The Board shall within three (3) months from the date of receiving such a petition notify the person/firm/ or applicant of the Board's final decision on both applications.

(7)The Board may suspend, revoke or reject an application for renewal of a practicing certificate for any of the following reasons:

if the applicant

- (a) is in breach of the Code of Conduct and Ethics for Engineers as provided in these Regulations;
- (b) has been suspended from practice;
- (c) has not fulfilled Continuing Professional Development requirements for a continuous period of three years;
- (d) is in default of fees;
- (e) is insolvent;
- (f) has been convicted for a criminal offence for the past one year from the date of conviction;
- (g) is of unsound mind.

(8) The Board shall not suspend a practicing certificate of any engineer unless an opportunity of being heard has been given to the concerned engineer.

(9)The holder of a practicing certificate which has been revoked under sub-regulation (7) shall return the practicing certificate within one month from the date of revocation.

(10)Subject to sub-regulation (4) failure to return the revoked certificate within the period specified constitutes an offence and on conviction the person shall be liable to a fine of Kshs. 500,000/= or three (3) months imprisonment.

(11) Any person/firm/or applicant aggrieved by the final decision of the Board may prefer an Appeal to the High Court against such decision of the Board in line with Section 54 of the Act.

Renewal of Registration for foreign person

8(1) A foreign person/ engineer/ firm shall submit an application made in the prescribed form to the Board upon the expiry of one calendar year from the date of registration

(2) The application shall be made within 60days before the expiry of the current practising licence and shall include:-

- (a) A copy of the previous practicing licence.
- (b) An employment contract for the period renewal is sought.
- (c) Proof that the applicant has maintained a good standing as a foreign person/engineer/firm.
- (d) Proof of payment of the prescribed fees as set by the Board.

(3) The Board shall process the application and make a decision within two (2) months from the date of receipt of such application.

(4) The evaluation of the application for renewal shall be done as provided for in the evaluation criteria set by the Board.

PART III

PROVISIONS RELATING TO REGISTRATION OF AN ACCREDITED CHECKER

Qualification for registration as an accredited checker

9(1) Further to the provisions of Section 24 of the Act, a person or firm shall be eligible for registration as an accredited checker if that person or firm meets the following requirements:

- (a) Proof of registration with the Board as a Consulting engineer in the relevant engineering field.

- (b) Proof of relevant 15 years continuous experience in the engineering field specifically in design, construction management, technical project management or any other as the Board may approve from time to time.
 - (c) Proof of competency and ability to review and verify engineering works in the relevant field of engineering for which registration is sought.
 - (d) Provides the Board with detailed curriculum vitae.
 - (e) Proof of work done and completed five years immediately preceding the application sought.
 - (f) Provides the Board with the PIN, VAT and Tax compliance certificates.
 - (g) Provides certified copies of certificates and other relevant documents as are necessary to prove qualification for registration.
 - (h) Proof of membership as a fellow with the Institution of Engineers of Kenya.
 - (i) Recognition as a member of good standing and integrity in the relevant Engineering field which application is sought.
- (2) The application shall be made in writing, to be in English and made on payment of prescribed fees and in a prescribed form set by the Board.
- (3) The Board may call for further particulars of the person seeking registration as an Accredited Checker.
- (4) If an application in relation to this regulation is made on the world wide web (electronically), the supporting documentation under this regulation must be submitted to the Boards headquarters office by registered mail or be hand delivered.
- (5) An application shall not be considered duly completed as contemplated in this regulation, unless such submission has been received by the Board.
- (6) The Board may cancel an application by a person within 60 days of making such application if such person does not fully comply with requirements set by the Board.

(7) The Board shall process the application within four (4) months from the date of receipt of the application.

Renewal of registration for an Accredited Checker

10.(1) A person shall submit an application for renewal to the Board on payment of prescribed fees and on filling the prescribed form.

(2) The Board shall process the application in accordance with the provisions of the Act and make a decision on the application within two (2) months of making such application.

(3) The Board shall inform such applicant of its decision within two (2) months of the said decision.

Making of an appeal against the decision of the Board.

11.(1) An applicant aggrieved by the decision of the Board regarding the category recommended or decision made, may submit a petition in writing indicating the reasons of such grievance sufficient to justify review of the decision of the Board.

(2) The Board shall notify the petitioner of its final decision within two months of such a petition notify the person/firm/contractor or applicant of the Board's final decision on both the applications.

(3) A person or applicant aggrieved by the final decision of the Board may prefer an appeal to the High Court as under section 54 of the Act.

PART IV

Provisions in relation to payment of annual fees by an engineer.

12.(1) Every engineer registered under the provisions of the Act shall be required to pay annual fee to the Board of such amount as the Board may prescribe and such fee shall be due on 1st January of each Calendar year.

(2) A person or firm whose application for registration has been approved after September, 30th of a calendar year, shall pay an annual fee for the remainder of the months in that year.

(3) The Board shall impose a penalty of 5% on outstanding fees for every calendar month when the fees remain unpaid by the end of April of each calendar year.

(4) Failure to pay the annual fee in arrears for more than two years shall cause the Board to remove the name of the engineer from the Register.

13(1) The Board shall issue a three (3) months notice for payment of annual fees by engineers in all categories and engineering firms three (3) months before the end of every calendar year.

(2) A person who fails to pay the registration fees and related fees within the period of three (3) months from the date of notification shall cease to hold a valid practicing certificate.

(3) No subsequent application shall be made before the expiry of six months from the date of which the previous application was approved/ made unless, that person pays the fee and fine of fifty percent of the current registration fee.

(4) Notwithstanding the provisions of sub regulation 13(3) the Board may consider an application before the expiry of the period of six months if the applicant satisfies the Board on reasons for failure to pay the registration fee in respect of the approval.

Exemption from payment of annual fees

14. The Board may exempt, upon application, an engineer who is sixty five (65) years and above or who is of ill-health or such other consideration as the Board may determine, from paying annual practicing licence fee.

Publication of names that are entered in the register

15(1) The Board shall publish the names of all registered engineers within the first month of every year (January) and publish their names in the Gazette and other Newspaper with wide circulation.

(2) The names of all engineers whose practicing certificates have been revoked and names removed from the register shall also be published in the gazette and a Newspaper with wide circulation.

Issuance of official rubber stamp to Professional and Consulting engineers

16(1) The Board shall, issue an official rubber stamp to every Professional and Consulting Engineer registered under the Act on payment of the prescribed fees set by the Board.

(2)The rubber stamp shall be used for approving or certifying engineering documents such as design calculations, drawings, technical reports and other engineering documents.

(3)A certification given by a Professional Engineer shall also be signed and dated and the engineer's rubber stamp affixed on it.

(4) An approval given by a Consulting Engineer shall also be signed and dated and the engineer's rubber stamp affixed on it.

(5) A Professional or Consulting Engineer, to whom an official rubber stamp is to be issued, shall be required to pay a fee of such amount as the Board may prescribe.

(6) Subject to sub regulations (3) and (4) failure to use rubber stamps issued by the Board constitutes an offence and on conviction shall be liable to a fine of Kshs. 500,000/= or three (3) months imprisonment.

(7)An official rubber stamp issued to a person with temporary registration shall be valid for the period of registration and such validity shall be inscribed on the stamp.

Destruction or loss of certificate of registration

17(1)Where a certificate of registration or a practicing certificate has been lost, destroyed, defaced or becomes obliterated, the holder shall notify the registrar immediately.

(2)Where a registration certificate or practicing certificate has been defaced or become obliterated, no duplicate shall be issued unless the original is returned to the Registrar.

(3)A duplicate of an extract of a practicing certificate may be issued upon applicant's –

- (a) submission of a police loss report;
- (b) publication in the public media and
- (c) payment of the prescribed fees.

- 18.** A Registration certificate and practicing certificate shall remain the property of the Board and shall be returned to the Board when the holder is deleted from the register.
- 19.** A Registered engineer or firm shall, within one (1) month of any change of postal and physical address as entered in the Register, notify the Registrar of such change.
- 20.** (1) The Board shall establish an engineering employment liaison facility to facilitate and link engineers and Engineering Consulting Firms with prospective employers.
- (2) The operational mode of the facility shall be determined by the Board.

PART V

PROVISIONS RELATING TO PAYMENT OF ENGINEERS TRAINING LEVY

- 21(1)** Further to the provisions of Section 31 of the Act, every engineer/ an accredited checker whose name has been entered into the registrar shall pay to the Board an amount prescribed by the Board for the purpose of payment of the Training Levy.
- (2) The Board shall notify all the engineers including the accredited checkers and engineering firms in the register of the amount of levy to be paid.
- (3) An engineer shall deposit the said amount in a Bank account specified by the Board and shall submit the deposit slip, dated and stamped by the bank indicating the amount deposited in the account to the Board.
- (4) The levy shall be paid to the Board or its authorized agents at such office or place as may be determined in writing or press notification by the Board from time to time within one month from the date of notification.
- (5) An engineer who fails to pay the amount of the Training levy in respect of which a notice has been issued after the lapse of one month from the date of the issuance of such notice shall be guilty of an offence and shall on conviction be liable for a fine not exceeding 50,000/= or imprisonment for a term of one month or both.

- (6) Notwithstanding the provisions of sub-regulation 21(5) above, the amount of Training levy payable under this sub-regulation shall be recoverable from the engineer as a civil debt due to the Board.
- (7) The Board may suspend, cancel or revoke the registration of any registered person who has not paid the amount of the Training levy as provided in these regulations.

PART VI

REMOVAL FROM THE REGISTER

22(1) Further to the provisions under section 29, of the Act the Board shall remove an engineer from the register if:-

- (a) If he/she is found to be mentally incapacitated or of ill-health and the person shall not practice engineering until such a time it is proved otherwise.
- (b) He/she shall be required to submit to the Board a medical report from a recognized medical practitioner when seeking fresh registration as an engineer.

PART VII

GENERAL PROVISIONS

- 23.** (1) All engineering materials, products and processes shall have their specifications and standards ascertained by relevant authorities.
- (2) The Board may at any time take samples of engineering products and materials and test them in an accredited laboratory.
- (3) Subject to sub-regulation (2), where the engineering product material fails the test, the manufacturer, or supplier as the case may be shall be subjected to an inquiry by the Board.
- (4) The Board may perform its functions under these regulations in collaboration with any relevant institution.

- 24** (1) Any person or body of persons, contravening these regulations, commits an offence and shall be liable to penalty.
- (2) The administration of penalties shall be done as provided for under Second Schedule to these Regulations.
- (3) There shall be a Default and Misconduct Register for recording the frequency of defaults and professional misconduct by the Engineers or Engineering Consulting Firms.
- 25.** (1) Every Engineer and engineering consulting firm shall have their defaults and professional misconduct registered in a Default Score Points register.
- (2) Depending on the frequency of defaults and professional misconducts, the Board may take any action including suspension or deletion of the Engineer or the Engineering consulting firm from the Register.
- (3) Threshold values and respective penalties shall be determined by the Board and as presented in the monitoring manual.
- 26** (1) There shall be a Projects Register for recording all engineering projects.
- (2) It shall be the responsibility of the engineer to report to the Board on all the engineering projects he is involved in prior to commencement
- (3) The reporting of the engineering project for registration shall be made in the format as may be provided by the board from time to time.
- (4) The Projects Register shall be used for Monitoring and as may be determined by the Board from time to time.
- 27** Any engineer/engineering consulting firm contravening these regulations, commits an offence and shall be liable to penalty as stipulated under the Act.
- 28** The Engineers Registration Board Regulations 1999 and the Engineers Registration (professional Examinations) By-laws, 1999 are hereby revoked in accordance with Section 61 of the Act.
- 29** All engineers/engineering consulting firms registered under this Act shall observe the Code of Ethics/conduct developed by the Board in line with Section 7(1)(u) of the Act.

- 30.**The Board shall develop regulations to govern monitoring of engineering activities as under section 7(1) (g) of the Act.

Section B

TRAINING PROGRAMMES

TRAINING OF GRADUATE ENGINEERS, PROFESSIONAL ENGINEERS (PE) AND CONSULTING ENGINEERS (CE)

- 1.** For the purpose of this Section (B), the objects and functions of the Board shall be
 - (a) awarding professional training and awards;
 - (b) administering professional examinations;
 - (c) prescribing fees; and
 - (d) reconciliation and arbitration.

PART I

PROFESSIONAL TRAINING AND AWARDS

- 2.** For the purpose of training as per Section 7 of the Act, the Board shall-
 - (a) Set standards
 - (b) Set and review the minimum content of engineering training;
 - (c) Certify the academic awards;
 - (d) Develop special engineering training programmes
 - (e) Accredit continuing professional development training programmes; and
 - (f) Carry out any other related training activity.

TRAINING AND DEVELOPMENT OF A GRADUATE ENGINEER

3. (1) Pursuant to the provisions of section 18 of the Act, the Board shall recognize the following academic qualifications as sufficing the requirements for registration.

(a) Academic engineering training deemed fit to lead to registration as a graduate engineer; that fulfill the following minimum exit level outcomes-

- (i) Problem solving;
- (ii) Application of scientific, research and engineering knowledge;
- (iii) Engineering drawing and design;
- (iv) Investigations, experiments, data analysis and report writing;
- (v) Engineering methods, skills and tools, including information technology and entrepreneurship;
- (vi) Professional and technical communication;
- (vii) Impact of engineering activities on the social, industrial and physical environment;
- (viii) Individual, team and multidisciplinary working;
- (ix) Independent learning ability; and
- (x) Engineering Professionalism.

(b) Academic programmes which are engineering related or deemed to have engineering content but not adequate for registration, which have bridging courses.

(2) Subject to sub-paragraph (1) (b), the Board shall give guidelines on the contents and duration of engineering programmes necessary to meet the requirements for registration.

(3). The Board shall recognize the following professional engineering training modes as detailed in the respective manuals-

(a) structured training-

- (i) Apprenticeship programme;
- (ii) field attachments;
- (iii) professional training approved by the Board.

(b) unstructured training-

- (i) activities under continuing professional development programmes
- (ii) field work;
- (iii) Professional training recognized by the Board.

(4) The Board shall administer a structured internship programme to graduate engineers.

(5) The structured graduate engineers' internship programme shall be administered in accordance with these regulations and other provisions as provided for in the structured internship programme implementation document.

(6). The objective of structured engineers internship programme is to enable graduate engineers acquire sufficient professional competence to be able to register as professional engineers after a period of three years as stipulated in the Act.

ACCREDITATION OF EDUCATIONAL INSTITUTIONS

4.(1) Pursuant to the provisions of Section 7(1)(l) of the Act, the Board shall set standards and professional accreditation criteria to be used for accrediting engineering programmes offered by universities and other tertiary level institutions.

(2) Subject to sub-paragraph (1) and as provided in the training manual, accreditation criteria shall include, but not limited to-

- (a) academic and professional qualifications of teaching staff;
- (b) training facilities and infrastructure;
- (c) adequacy of professional contents and requirements in curricula;
and
- (d) training duration.

(3) Subject to sub-paragraph (1), all relevant programmes offered by universities and other tertiary level institutions shall be accredited and reviewed by the board once every five years.

(4) The Board shall determine the accreditation category of each academic engineering programme.

(5) The Board may at any time, audit and review accreditation status of the programmes offered by engineering training institutions.

(6) The Board may withdraw the professional accreditation status of the programmes offered by engineering training institutions which have failed to maintain the standards set by the Board.

(7) The Board shall evaluate the following awards from professional engineering applicants:

- (a) certificates from institutions and programmes accredited by relevant academic accreditation boards;
- (b) foreign awards recognized by academic accreditation bodies in the country of origin;
- (c) certificates from institutions offering engineering training programmes to compliment the engineering training type under paragraph 3 (1) (b);

(8) An applicant shall for the purpose of evaluation of awards submit-

- (a) original certificates and academic transcript;
- (b) evidence in terms of programme handbook or courses' outlines or curriculum; and
- (c) proof of payment of evaluation fee.

(9) Evaluation of the awards shall be undertaken by the Board using methods and tools of evaluation set by the Board.

(10) The outcome of the evaluation as provided by the Board shall determine requirements of the academic engineering training achieved by the applicant as provided under paragraph 3.

(11) The results of evaluation shall be communicated to the applicant within ninety days from the date of application or from the date the Board receives all the necessary documents.

(12) The Board may review the decision of the evaluation made under sub-paragraph 11 upon request by the applicant.

(13) The decision of the Board in respect to evaluation of the awards shall be final.

CONTINUING PROFESSIONAL TRAINING AND DEVELOPMENT

5. (1) An engineering professional short course shall have a specialized content in one of the engineering fields as recognized by the Board.

(2) Any engineering professional short course of specialized content in one of the engineering fields which is recognized as contributing to continuing professional development shall be as provided in the continuing professional development manual.

(3) The Board shall register and accredit all professional engineering short courses and allocate professional development units.

(4) The objectives of the continuing professional development programmes shall be to-

- (a) reinforce the need for life-long learning among engineers through continuing professional development;
- (b) provide a framework through which practicing engineers can systematically maintain and enhance their professional competence;
- (c) assist practicing engineers to increase capacity for learning so as to be more capable, confident and adaptable when faced with change;
- (d) encourage practicing engineers to broaden knowledge, skills and experience in order to improve work performance and enhance career prospects.

(5) The key subject areas or topics of continuing professional development shall include, but not limited to, the following-

- (a) engineering knowledge in relevant disciplines;
- (b) emerging and new technologies;
- (c) technical skills;
- (d) creativity, adaptation and innovation;
- (e) communication skills;
- (f) management and business development; and
- (h) relevant knowledge in associated professional areas.

(6) The Board shall conduct continuing professional development programmes for all practising engineers as a key strategy for enhancing professional competence and competitiveness of both engineers and engineering firms.

(7) Every engineer shall commit himself/herself to the process of lifelong learning in order to maintain, update and enhance professional competence on a continuous basis

by participating in structured and non-structured continuing professional development programmes;

- (a) Every practising engineer shall obtain a minimum of forty professional development units in every calendar year which shall comprise a minimum of thirty professional development units in structured activities and the remainder may be obtained from either structured or unstructured activities as shall be determined by the Board annually.
 - (b) Where an engineer exceeds the annual requirement of forty professional development units in the year under review, a maximum of fifteen excess professional development units obtained from structured activities may be carried forward into the following year.
 - (c) An engineer who has not obtained sufficient professional development units in the year under review shall not be allowed to renew his annual practicing licence.
 - (d) Where an engineer fails to meet the prescribed professional development units requirements or has not submitted his returns for two consecutive years, the Board shall lapse his registration.
- (8) An engineer whose registration has lapsed under this paragraph shall be required to obtain eighty professional development units within one year before he can be reinstated.
- (9) These eighty professional development units shall comprise at least forty professional development units obtained from structured activities.
- (10) An engineer may be exempted from continuing professional development requirements if he experiences disabilities, prolonged illness or other extenuating circumstances which prevent him from practising.
- (11) There shall be a continuing professional development logbook for every engineer to enter the continuing professional development activities and their durations.
- (12) All Engineers shall submit to the Board continuing professional development logbooks annually, not later than three months following the end of the calendar year under review for assessment.
- (13) The Board shall conduct random audit of engineers at any time of the year to verify their continuing professional development participation during particular periods.

- (14) (1) An engineer may be required to submit documentary evidence at any time within two years from the date of submission of the personal development record.
- (2) Without prejudice to sub-paragraph (1), the engineer shall be required to retain the documentary evidence for at least two years from the date of submitting the returns.
- (3) The Board may conduct random checks during annual audits, and identify engineers who shall be required to submit documentary evidence of their continuing professional development participation.
- (4) The documentary evidence may consist of any of the following but not limited to-
- (a) diary records or logbook showing the activities claimed;
 - (b) course enrolment records;
 - (c) receipts of course fees
 - (d) certificate of attendance;
 - (e) attendance list from course organizer
 - (f) employer's report or certification; and
 - (g) statutory declaration.
- (15) Every practising engineer shall plan and assess own participation in continuing professional development activities on a self-regulatory basis and maintain a development action plan in the format described in continuing professional development personal development form as prescribed by the Board.
- (16)(a) Every engineer shall submit personal development record annually to the Board, not later than three months following the end of the calendar year under review.
- (b) Subject to sub-paragraph (a) annual record shall be prepared in a manner that clearly demonstrates how the engineer fulfilled the prescribed requirements of the Board's continuing professional development programme.
- (17)(a) The Board shall review the engineer's participation in continuing professional development activities once every two years.

(b) Subject to sub-paragraph (a), such review shall assess compliance with submission of annual returns and attainment of the prescribed minimum professional development units of the Board's continuing professional development

(18)(a) Where an engineer fails to meet the prescribed professional development unit requirements for two consecutive years, his registration shall be lapsed.

(b) The provision of sub-paragraph (a) shall apply to an engineer, who, for whatever reason, has not submitted his continuing professional development returns for a period of two consecutive years.

(c) An engineer whose registration has lapsed under this paragraph shall be required to obtain eighty professional development units within one year, before being reinstated.

(19) The Board shall recognize the following structured activities as contributing to the professional development of practising engineers as prescribed by the Board from time to time-

(a) relevant postgraduate degree, diploma or certificate courses;

(b) lectures, short courses, conferences, symposia, workshops and seminars on technical, management or professional development matters relevant to engineers;

(c) in-house courses on technical, management and professional development matters relevant to engineers;

(d) conducting accredited courses, lectures, seminars, conferences, symposia and workshops;

(e) writing or editing technical articles or papers published in reputable journals, conference proceedings or books; and

(f) registering an engineering patent.

(20) The Board shall recognize unstructured activities as contributing to the professional development of practising engineers as prescribed and approved by the Board and may include but not limited to the following-

(a) membership of professional societies, boards, and technical committees;

(b) taking distance and open learning courses;

- (c) attending formal in-house training and presentations;
- (d) conducting formal in-house training and presentations;
- (e) attending organized technical site visits and exhibitions; attending professional and technical courses which are not accredited.

PROFESSIONAL EXAMINATIONS

6. (1) Pursuant to Section 7(1)(n) of the Act, the Board shall administer Level I examinations for professional competence leading to registration as Professional engineers to graduate engineers;

(2) The Board shall administer examinations in different disciplines of engineering and in accordance with the requirements as prescribed in the examinations guidelines.

(3) For Professional Training report, the candidate shall be evaluated based on criteria as provided in the Registration Manual.

(4). (1) The mode of examinations shall be in the form of –

- (a) written examination for level I or
- (b) detailed professional training report as may be determined by the Board or
- (c) professional interview.

(2)The Board may refer any applicant to do additional practical training.

(5) An applicant wishing to undergo Level I Examination which shall be in the form of written report, an interview or both, shall satisfy the following conditions-

- (a) be a graduate engineer who has a minimum of three years post graduation experience

(6) A candidate wishing to sit for the examinations shall apply to the Board by completing the application form as specified in the Training Manual to these

Regulations upon payment of application and registration fees prescribed by the Board.

- (a) Except for reasons approved by the Board, the application and the fees paid to sit for the examinations shall be valid only for the scheduled examinations applied for.
 - (b) Subject to sub-paragraph (a) above, a candidate who does not appear for the examinations applied for, shall be required to make a fresh application.
- (7) Every report forming part of examinations shall be written in English.
- (8) Professional interviews shall be conducted in English
- (9) During professional interviews, all original certificates, design drawings, design calculations and any other relevant documentation shall be presented.
- (10) Every eligible candidate shall pay a non refundable examination fee to be determined by the Board.
- (11) The board shall prescribe fees for application, registration, and any other fees related to professional examinations.
- (12) Information of the date, time and venue of the examinations shall be given to the candidates not later than four weeks before the examinations.
- (13) The Board shall inform the candidates on the results within ninety days after the examination.
- (14) A candidate found to be cheating shall be disqualified and disciplinary action taken against him/her as may be determined by the Board.
- (15) (a) The Board shall make a decision on examination results.
- (b) The Board may review its decision on examination results upon appeal by the applicant.
- (c) The Board's decision after the appeal shall be final and binding.

PART II

GENERAL PROVISIONS

- 7(1) Subject to Engineers Regulations the fees to be charged by the Board shall be prescribed in the First Schedule to these Regulations.
- (2) The following fees shall be charged by the Board-
- (i) professional fees;
 - (ii) fees for admission to any course offered by the Board
 - (iii) fees payable by applicant on application;
 - (iv) fees payable by applicant on registration;
 - (v) fees payable by applicant before issuance of renewal certificate of registration;
 - (vi) fees payable by applicant for rubber stamp;
 - (vii) fees payable by engineering consulting firms for sticker and site instructions books;
 - (viii) fees for processing of engineering programmes for accreditation by the Board;
 - (ix) fees for meetings/conferences/seminars organized for purposes of continuing professional training and development;
 - (x) fees for Identification Card
 - (xi) fees payable for any other services rendered by the Board.
- (3) The engineers or engineering consulting firms shall charge fees for engineering services rendered as specified in the Second Schedule to these Regulations.
- (4) (a) The Board shall reconcile parties in dispute and conduct arbitration for parties under dispute whose contracts or agreements stipulate that the Board shall arbitrate their cases.
- (b) The Board shall prepare alternative dispute resolution rules.
- (5) The Engineers Registration Regulations, 1971 are hereby revoked.

END

FIRST SCHEDULE

FEES TO BE CHARGED BY THE BOARD

Category	Application Fee (KShs)	Annual Subscription Fee (KShs)
Graduate Engineers	2,000.00	2,000.00
Professional Engineers	5,000.00	5,000.00
Consulting Engineers	10,000.00	10,000.00
Temporary Engineers	KShs 42,500	KShs 85,000
Consulting Firms	10,000.00	30,000.00
Accredited Checker	10,000.00	25,000.00
¹ Accreditation of University Engineering Programme	300,000.00	-
¹ Fees for Engineers Stamp	3,000.00	

Notes

All fees in KShs unless otherwise stated

1: Fees payable only once

