



THE REPUBLIC OF KENYA

LAWS OF KENYA

ENGINEERS ACT

NO. 43 OF 2011

Revised Edition 2019 [2011]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org

NO. 43 OF 2011

ENGINEERS ACT

ARRANGEMENT OF SECTIONS

PART I – PRELIMINARY

Section

1. Short title.
2. Interpretation.

PART II – THE ENGINEERS BOARD OF KENYA

3. Establishment and incorporation of the Board.
4. Headquarters.
5. Membership of the Board.
6. Object and purpose of the Board.
7. Functions and powers of the Board.
8. Committees of the Board.
9. Delegation by the Board.
10. Conduct of business and affairs of the Board.
11. Tenure and vacation of office.
12. Remuneration of Board members.
13. Appointment of the Registrar.
14. Functions of the Registrar.
15. Limitation of liability.

PART III – PROVISIONS RELATING TO REGISTRATION

16. Qualifications for registration as professional or consulting engineers.
17. Application for registration.
18. Qualification for registration as graduate engineer.
19. Application for registration.
20. Registration of an engineering consulting firm.
21. Application for registration.
22. Restrictions on registration of foreigners.
23. Temporary registration.
24. Accredited checkers.
25. Registration Board.
26. Effect of registration.
27. Register.
28. Alteration of the Register.
29. Removal of persons from the Register.
30. Publication of registration.
31. Imposition of levy.

PART IV – PROVISIONS RELATING TO LICENSING AND PRACTICE

32. Practising licence.
33. Renewal of a licence.
34. No fees to be charged by unlicensed persons.
35. Suspension of a licence.
36. Cancellation of a licence.

Section

- 37. Effect of removal of name, suspension or cancellation of a licence.
- 38. Publication upon cancellation, revocation etc. of a licence.

PART V – FINANCIAL PROVISIONS

- 39. Funds of the Board.
- 40. Financial year.
- 41. Annual estimates.
- 42. Accounts and audit.
- 43. Investment of funds.

PART VI – PROVISIONS RELATING TO OFFENCES AND PENALTIES

- 44. False registration or licensing.
- 45. Professional misconduct.
- 46. Offences by persons or training institutions.
- 47. Prohibition for the use of the term engineer by unregistered or unlicensed persons.
- 48. Prohibition on the provision of professional engineering services by body of persons.
- 49. Prohibition on employment of unregistered persons.
- 50. Restriction on right to submit documents.
- 51. Practising without license.
- 52. Obstruction of officers of the Board.

PART VII – COMPLAINTS AND DISCIPLINE BY THE BOARD

- 53. Complaints and disciplinary proceedings by the Board.
- 54. Appeals.

PART VIII – GENERAL PROVISIONS

- 55. General provisions in relation to exemptions.
 - 56. Legal proceedings.
 - 57. General penalty.
 - 58. Rules.
 - 59. Repeal of Cap. 530.
 - 60. Transitional provisions.
 - 61. Act to supersede other Acts.
-

NO. 43 OF 2011

ENGINEERS ACT

[Date of assent: 27th January, 2012.]

[Date of commencement: 14th September, 2012;

Section 46: 14th September, 2013.]

An Act of Parliament to provide for the training, registration and licensing of engineers, the regulation and development of the practice of engineers and for connected purposes

[Act No. 43 of 2011, L.N. 95/2012, Act No. 18 of 2018.]

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Engineers Act, 2011.

2. Interpretation

(1) In this Act, unless the context otherwise requires—

“**accredited checker**” means a person qualified and registered as such under section 24;

“**Board**” means the Engineers Board of Kenya established under section 3;

“**Cabinet Secretary**” means the Cabinet Secretary for the time being responsible for matters relating to engineering;

“**code of ethics**” means sets of standards for engineers’ obligations to the public, their clients, employers and the profession encompassing right conduct;

“**consulting engineer**” means an engineer registered as such under section 16 of this Act;

“**consulting engineering services**” includes consultancy and advisory services relating to independent professional engineering works, services or goods and selling or supplying for gain or reward any plan, sketch, drawing, design, specification or other documents relating to any professional engineering work, service or good with a liability to be sued;

“**engineer**” means a person registered under this Act as a professional engineer or consulting engineer and who holds a valid licence;

“**engineering**” means the creative application of scientific principles to design or develop structures, machines, apparatus, or manufacturing processes, or works utilizing them singly or in combination or to construct or operate the same with full cognizance of their design or to forecast their behaviour under specific operating conditions or aspects of intended functions, economics of operation and safety to life and property;

“**engineering organization**” means organization whose functions involve the planning, designing, processing and the delivery of engineering products and services;

“**firm**” means engineering consulting firm registered under this Act;