VERSION NO: 01

REVISION: 00

ENGINEERS BOARD OF KENYA

Enhancing Professionalism

Engineers Board of Kenya

Fortis Suites, 9th Floor, Hospital Rd,

P.O. Box 30324-00100 Nairobi, Kenya

TEL: +254-20-2719974

CELL: +254-735-330744, +254-722-509972

Email: info@ebk.go.ke

Website: www.ebk.go.ke

GUIDELINES FOR EXEMPTION FROM CPD REQUIREMENTS

EBK/CBA/POL/01

	NAME	DESIGNATION	DATE	SIGNATURE
Approved by:	Eng. Margaret Ogai	Registrar/ CEO		

MARCH 2022

VERSION

Document Title: GUIDELINES FOR EXEMPTION FROM CPD REQUIREMENTS
Document Level: Policy
Reference No: EBK/CBA/POL/01

Version No: 01

Revision No: 00

TABLE OF CONTENTS

VERSION I

TABLE OF CONTENTS II

FOREWORD III

PREFACE IV

ABBREVIATIONS V

DEFINITIONS VI

CHAPTER ONE: BACKGROUND 1

1.2 Our Vision 1

1.4 Our Mission 1

1.5 Our Core Values 1

1.6 Alignment to Policy and Legal Frameworks 1

CHAPTER TWO: PURPOSE, SCOPE, AND OBJECTIVES 2

2.1 Purpose of the Policy 2

2.2 The Scope of the Policy 2

2.3 Objectives 2

CHAPTER THREE: GUIDELINE IMPLEMENTATION 3

3.1 Roles and Responsibilities 3

3.2 Implementation of the Guideline 3

3.3 Procedures for Application of Exemption 6

CHAPTER FOUR: MONITORING, EVALUATION AND REVIEW 7

4.1 Monitoring and Evaluation 7

4.2 Review of Policy.....7

FOREWORD

The Board developed (CPD) Guidelines for Professional Engineers in 2017 in accordance with the Engineers Act, 2011. The policy seeks to develop and continuously improve the competence of professional engineers in the country. The purpose of policy is to contribute towards improving efficiency and effectiveness in the delivery of services by professional engineers.

The implementation of the was to operationalize Section 7(1)(q) of the Engineers Act 2011 that empowers the Board to plan, arrange, coordinate and oversee continuing professional training and development and facilitate internship of graduate engineers. Policy implementation over the period has reveal loophole on the exemptions of CPD for registered engineers. This guidelines for exemption from CPD requirements will therefore provide clarity on uniformity on application of the exemption clause.

EKMwongera

Eng. Erastus Mwongera, RCE, FIEK, CBS

Chairman

Engineers Board of Kenya

PREFACE

Professional Engineers seeking to be issued with a practising license must present a certificate of CPD issued by the Board pursuant to provisions of Sec 32(2) of the Act. The implement this provision the Board developed CPD Policy. The CPD requirement apply to all professional engineers and consulting engineers.

The policy provides for a mandatory attainment of fifty (50) hours per year. Of these fifty hours, a minimum of forty (40) hours shall be attained from structured activities and the remainder may be obtained from either structured or unstructured activities. The Board has powers to audit CPD records of any professional engineer and shall administer an audit of the CPD system. The policy provides that Professional Engineers may apply to the Board for exemption of CPD requirement. The applicability of this clause has however presented challenges in which this guideline will address. The management is therefore committed to ensuring CPD is effective and efficient for engineers to easily comply with.

Eng. Margaret Ogai, CE
Registrar/Chief Executive Officer
Engineers Board of Kenya

ABBREVIATIONS

CPD: Continuing Professional Development

PDU: Professional Development Unit

HOD: Head of Directorate/Department

DEFINITIONS

CPD: Learning that helps the registered engineer fulfil his/her present or future roles more effectively, maintain a sufficiently high standard of professional competence, and remain current in an ever-competitive job market.

Consulting Engineer: Refers to a person registered under Section 16 of the Engineers Act 2011.

Graduate Engineer: Refers to a person registered under Section 18 of the Engineers Act 2011.

PDU: Points earned on attendance of CPD activities

Professional Engineer: Refers to a person registered under Section 16 of the Engineers Act 2011.

Registered Person: Refers to a person registered under Section 16, 18 and 23 of the Engineers Act 2011.

Retired: An engineer who has completely withdrawn from one's occupation, business, or office; having finished one's active working life

CHAPTER ONE

BACKGROUND

Engineers Board of Kenya (EBK) is a statutory body established under Engineers Act 2011. The object and purpose of the Board includes responsibility for the registration of engineers and engineering firms, regulation of engineering professional services, setting of standards, development, and general practice of engineering.

1.2 Our Vision

"A safe, efficient and effective engineering infrastructure, systems and processes"

1.4 Our Mission

"To ensure production of competent engineers and quality engineering services through regulation, capacity building and enforcing compliance with set engineering standards for improved socio-economic development".

1.5 Our Core Values

All members of staff of the Board will uphold the following core values in their day-to-day operations: Integrity; Professionalism; Teamwork; Fairness; Inclusiveness; and Diversity.

1.6 Alignment to Policy and Legal Frameworks

Section 7(1)(o) of the Engineers Act 2011 mandates the Board to 'cause continuing professional development programmes for engineers to be held.'

Rule 2.1 of the Fifth Schedule of the Engineers Rules 2019 requires every practicing engineer to obtain a minimum of fifty professional units in every calendar year.

Section 32(2) of the Engineers Act 2011 requires a person who is applying for a license to submit in the prescribed manner a certificate of continuing professional development issued by the Board, a statutory declaration confirming that no professional complaint has been made against him and pay the prescribed fee.

CHAPTER TWO

PURPOSE, SCOPE, AND OBJECTIVES

This section covers the purpose, scope and the objectives of the policy.

2.1 Purpose of the Policy

Section 32(2) of the Engineers Act 2011 requires a person to submit in the prescribed manner a certificate of continuing professional development which is one of the conditions to meet when applying for a license. The Board's CPD Policy requires all professional and consulting engineers to attain 50PDUs annually.

However, there are persons who are retired, who are carry out part time consulting or who are unable to satisfy the annual CPD conditions for various reasons. These persons are required to apply to the Board for CPD exemption or deferment.

2.2 The Scope of the Policy

The scope of the policy covers graduate, professional, consulting, and temporary engineers.

2.3 Objectives

This policy defines: -

i) CPD requirements registered persons who have completely retired;

ii) CPD requirements registered persons who are retired but consulting part time in engineering;

iii) CPD requirements registered persons who have applied for deferment;

iv) Conditions of exemption from CPD activities; and

v) Resumption of CPD activities upon conclusion of exemption period.

CHAPTER THREE

GUIDELINE IMPLEMENTATION

3.1 Roles and Responsibilities

3.1.1 Roles of the Board of Directors

a) To approve the Policy and subsequent amendments; and

b) To oversight the implementation of the policy.

3.1.2 Roles of the Registrar/CEO

a) Coordinate the implementation of this guideline

b) Allocate resources for the implementation of the guideline

3.1.3 Roles of HOD

a) Ensure all requests for exemption are evaluated against the provisions of the guideline

b) Prepare board papers for CPD exemptions

3.1.4 Role of Staff

a) Prepare quarterly reports for CPD exemptions

3.2 Implementation of the Guideline

3.2.1 The following registered persons are exempted from the annual CPD requirements but not from applying for the renewal of registration in terms of these rules:

a) Registered persons who have retired completely and no longer carry out any engineering work either in a consulting capacity or in a salaried position and are listed as "retired";

b) Retired registered persons who are 60 years to 69 years and carry out part-time engineering work within the limits defined by the Board for purposes of listing as a retired person (more than 500 hours per year) will be required to accumulate 20PDUs per year from the categories listed in Table A;

c) Registered persons who are seventy 70 years to 75 years of age or more, who remain active in engineering are required to accumulate 10PDUs per year from the categories listed in Table A;

d) Registered persons who are seventy 76 years and above will not be required to acquire PDUs; and

e) Registered persons may apply for deferment of the calendar year's CPD requirements if extenuating circumstances hampered participation in CPD activities (including but not limited to: unemployment, illness or incapacitation). Each application will be accompanied by supporting documents.

Table A: Category Activities

Categories	CPD Activities	PDUs
Category 1	Work Based Activities	15
Category 2	Participation • Mentoring/tutoring as an appointed mentor to a member in-training or applicant; • Service on public bodies that draw on professional expertise (e.g., planning boards, development appeal boards, investigative commissions, review panels or community building committees); • Service on standing or ad-hoc committees of a	10

	technical or professional nature, or managerial associations and societies beyond the ordinary duties of work.	
Category 3	Contributions to Knowledge • Development of published codes and standards • Patents • Publication of a book	10

3.2.2 Should an exempted registered person, listed in 3.2.1 above resume engineering work or related activities without the Board being formally notified, then such activities could amount to misconduct and such person shall be referred to the Board's disciplinary processes for appropriate action.

3.2.3 Exemption from the CPD requirements does not affect the registration status of a registered person for the period of exemption.

3.2.4 The following grounds shall not be deemed adequate by the Board for partial or full exemption of the application of the CPD requirements:

a) Partial retirement by any registered person;

b) Registered persons undertaking substantial engineering work; and

c) Practicing engineering abroad/outside Kenya.

3.2.5 Should an exempted registered person resume engineering work or related activities after a significant period during which such activities were not performed, the Board may require such a person to undertake additional relevant

CPD activities or to provide a plan which sets out in detail how the registered person will update their knowledge and ensure that they can perform their responsibilities competently and with due care.

3.3 Procedures for Application of Exemption

3.3.1 Any registered person who wishes to be exempted from the CPD requirements will make a formal application for exemption to the Registrar/CEO.

3.3.2 All applications will be accompanied by supporting documentation outlining the circumstances and reasons for the application. Supporting documentation include may include medical records, letters of retirement, etc.

3.3.3 All applications will be presented to the Board for a decision to be made.

3.3.4 The Board's decision will be communicated in writing to the applicant not later than one month after the Board meeting.

3.3.5 Applicants will be required to upload all applications for exemption and the supporting documentation on their CPD Portal.

CHAPTER FOUR

MONITORING, EVALUATION AND REVIEW

4.1 Monitoring and Evaluation

Monitoring and evaluation will be done to ensure that all applications for CPD exemptions will be processed as per the provisions in the guidelines.

4.2 Review of Policy

This Policy shall be reviewed at such intervals as deemed necessary but not exceeding three years.

ANNEX I: APPLICATION FORM FOR EXEMPTION FROM CPD REQUIEMENT

1. APPLICANT DETAILS

Surname:	First name:
Other names:	Registration No:

Contact Details

Telephone:	Email address:

2. BASIS FOR EXEMPTION

Please select the Clause under which you believe you may qualify for an exemption and provide details as to your circumstances below:

- ○ **Clause 3.1 (a)** Retired and no longer carry out any engineering work either in a consulting capacity or in a salaried position and listed as "retired" in the Board's register.
- ○ **Clause 3.1 (b)** Retired but carries out part-time professional engineering services (Exemption under this Clause is based on age. Please specify your age bracket in Table 1 below)

Table 1

Age	Number of PDUs to be accumulated per year	Tick appropriately
60 – 69 years	20	☐
70 – 75 years	10	☐
Over 75 years	0	☐

- **Clause 3.1 (c)** Extenuating circumstances that hampered participation in CPD activities (including but not limited to: unemployment, illness or incapacitation).

Supporting evidence required - Attach as Additional Document (s)

Clause 3.1 (a)	Letter of retirement in case of formal employment
Clause 3.1 (b)	A copy of National ID/Passport/Birth Certificate
Clause 3.1 (c)	Details of the extenuating circumstance & relevant supporting evidence

3. SIGNATURE

Signed:	Date (DD/MM/YYYY):