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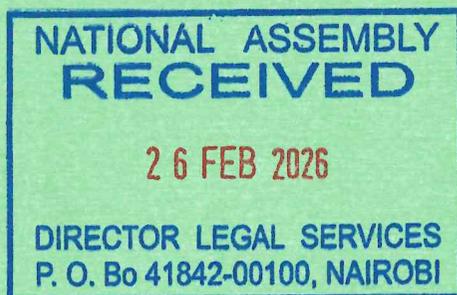
KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2026

NAIROBI, 19 February, 2026

CONTENT

Bill for Introduction into the National Assembly—	PAGE
The Architects Bill, 2026	39



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THE ARCHITECTS BILL, 2026
ARRANGEMENT OF CLAUSES

Clauses

PART I—PRELIMINARY

- 1—Short title.
- 2—Interpretation.

PART II—THE INSTITUTE OF ARCHITECTS

- 3—Establishment of the Institute.
- 4—Membership of the Institute.
- 5—Functions of the Institute.
- 6—Council of the Institute.
- 7—Composition of the Council.
- 8—Powers of the Council.
- 9—Executive Director.
- 10—Staff of the Institute.
- 11—Experts and consultants.
- 12—Delegation by the Council.
- 13—Remuneration of Council members.
- 14—Conduct of the business and affairs of the Council.
- 15—Common seal.
- 16—Protection from personal liability.
- 17—Examinations Board.
- 18—Functions of the Examination Board.

PART III—REGISTRATION OF ARCHITECTS

- 19—Registration Committee.
- 20—Qualifications for registration.
- 21—Disqualification from registration.
- 22—Registration of Architectural firms.
- 23—Application for registration.
- 24—Certificate of registration.
- 25—Register.
- 26—Removal of name from the Register.
- 27—Correction of the Register.

28—Reinstatement to the Register.

29—Use of title.

PART IV—PRACTICING CERTIFICATE

30—Application for practicing certificate.

PART V—DISCIPLINE OF MEMBERS

31—Professional misconduct.

32—Professional Conduct Committee.

33—Reference of matters to the Professional Conduct Committee.

34—Inquiry by the Professional Conduct Committee.

35—Lifting of suspension.

PART VI—FINANCIAL PROVISIONS

36—Funds of the Council.

37—Financial year.

38—Annual estimates.

39—Accounts and audit.

PART VII—OFFENCES AND PENALTIES

40—Holding out as a registered architect.

41—Falsification of registers or records.

42—General penalty.

**PART VIII—PROVISIONS ON DELEGATED
POWERS**

43—Regulations.

PART IX—TRANSITIONAL PROVISIONS

44—Transitional provisions.

45—Consequential amendments.

**FIRST SCHEDULE—PROVISIONS AS TO
THE CONDUCT OF
BUSINESS AND
AFFAIRS OF THE
COUNCIL**

**SECOND SCHEDULE—CONSEQUENTIAL
AMENDMENTS**

THE ARCHITECTS BILL, 2026

A Bill for

AN ACT of Parliament to provide for the training, registration and licensing of architects, to provide for the regulation and development of the architectural practice and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART I – PRELIMINARY

1. This Act may be cited as the Architects Act, 2026.

Short title.

2. In this Act, —

Interpretation.

“architect” means a person registered as an architect under section 25;

“architectural practice” means a service related to the art and science of designing buildings and structures for human habitation and use, including—

- (a) planning, designing or giving advice on the design of or on the erection, construction or alteration of or addition to a building;
- (b) preparing plans, drawings, detail drawings, specifications, graphic or other representations for the design of or for the erection, construction or alteration of or addition to a building;
- (c) inspecting work and assessing the performance of work under a contract for the erection, construction or alteration of or addition to a building; or
- (d) urban planning and landscape architectural services;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to architectural practice;

“Council” means the Council of the Institute established under section 6;

“Examinations Board” means the Architects Examinations Board established under section 17;

“Executive Director” means the person appointed as the Executive Director of the Institute under section 9;

“Institute” means the Institute of Architects established under section 3;

“practicing certificate” means a practicing certificate issued by the Registration Committee under section 30;

“Professional Conduct Committee” means the committee established under section 30;

“Register” means the Register kept under section 25; and

“Registration Committee” means the committee established under section 19.

PART II—THE INSTITUTE OF ARCHITECTS

3. (1) There is established the Institute of Architects.

Establishment of the Institute.

(2) The Institute shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name be capable of—

- (a) suing and being sued;
- (b) purchasing, acquiring, holding or disposing of property;
- (c) borrowing money;
- (d) acquiring, holding and disposing of investments in other enterprises; and
- (e) doing or performing all such other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done by a body corporate.

(3) The Headquarters of the Institute shall be in Nairobi.

(4) The Institute may establish such other offices anywhere in Kenya as it may consider necessary for the discharge of its functions.

4. (1) A person who is registered under this Act shall be a member of the Institute.

Membership of the Institute.

(2) The members of the Institute shall comprise—

- (a) Fellows, being members of the Institute recognized to have rendered outstanding services to the profession of architects;

- (b) Professional Members, comprising architects and architectural technicians registered under section 21;
- (c) Affiliate Members, comprising those members who work in the built industry but are not architects;
- (d) Corporate Members, comprising both private and public institutions and organizations, including companies, partnerships and other corporate bodies; and
- (e) such other category as the Council may establish.

(3) The Council may grant a letter of conferment to an architect of irreproachable professional conduct who has rendered exemplary service to the architectural practice and public service in Kenya, conferring upon them the rank and dignity of Senior Architect.

(4) Where the Council considers that a member of the Institute has fulfilled such requirements, if any, for admission into Fellowship as the Council may prescribe, the Council may invite such member to become a Fellow of the Institute.

(5) Where the Council considers that a person, not being a member of the Institute has rendered exceptional services to the Institute or the profession of architects, the Council may invite the person to become an Honorary Fellow of the Institute.

(6) The members of the Institute specified in this section shall pay such membership fees and subscriptions as the Council may from time to time determine.

(7) The Members of the Institute under subsection (2) shall be entitled to such rights of membership as the Council may prescribe.

5. The Institute shall—

- (a) establish, publish and monitor the standards of professional competence and architectural practice;
- (b) register persons who meet the prescribed professional and ethical standards;

Functions of the Institute.

- (c) hold examinations and prescribe tests of competency deemed appropriate to qualify for membership and certification;
- (d) promote research in architectural practice;
- (e) publish books, periodicals, journals and articles on architecture;
- (f) promote communication and exchange of information, knowledge and ethical standards for persons engaged in the field of architecture and the built industry;
- (g) network with local, regional and international bodies to promote and develop progressive architectural practices;
- (h) facilitate the acquisition of knowledge by members of the Institute and ancillary service providers including trainee architects through the promotion of high standards of education and training in architecture;
- (i) develop and facilitate adequate continuous professional development training programmes for members of the Institute;
- (j) advise the Examinations Board on matters relating to examination standards and policies;
- (k) regulate the practice, competence and professional conduct of members;
- (l) promote and protect the welfare and interests of the members;
- (m) regulate and monitor architectural design competitions; and
- (n) carry out any other functions prescribed under this Act or any other written law.

6. There is established a Council of the Institute which shall be the governing body responsible for the management of the Institute.

Council of the Institute.

7. (1) The Council shall comprise—

Composition of the Council.

- (a) a chairperson who shall be an architect with at least fifteen years of experience in architectural practice, elected by the members of the Institute in the manner prescribed by regulations;
- (b) six other members who shall be practicing architects elected by architects in the manner prescribed by regulations, two of whom shall possess at least fifteen years post qualification experience; and
- (c) the Executive Director, as an *ex-officio* member of the Council.

(2) A member elected to the Institute under subsection (1)(a) and (b) shall hold office for a period of two years, be eligible for re-election for one further term.

8. The Council shall have all powers necessary for the proper performance of its functions under this Act and without prejudice to the generality of the foregoing, the Council shall have power to—

Powers of the Council.

- (a) control, supervise and administer the assets of the Institute in such manner as best promotes the purpose for which the Institute is established;
- (b) determine the provisions to be made for capital and recurrent expenditure and for the reserves of the Institute;
- (c) receive any grants, gifts, donations or endowments and make legitimate disbursements therefrom;
- (d) open such bank accounts for its funds as may be necessary;
- (e) invest any funds of the Institute not immediately required for its purposes; and
- (f) undertake any activity necessary for the fulfilment of any of the functions of the Institute.

9. (1) There shall be an Executive Director of the Institute who shall be competitively recruited by the Council.

Executive Director.

(2) The Executive Director shall hold office on such terms and conditions of service as shall be determined by the Council in the instrument of appointment.

(3) A person is qualified to be appointed as an Executive Director under this section if that person—

- (a) is a registered architect;
- (b) has had at least ten years of proven experience in architectural practice; and
- (c) meets the requirements of Chapter Six of the Constitution.

(4) The Executive Director shall—

- (a) be the secretary to the Council;
- (b) subject to the directions of the Council, be responsible for the day-to-day management of the affairs of the Institute; and
- (c) be responsible to the Council generally for the implementation of this Act.

10. The Council may appoint such officers, agents and other staff as are necessary for the proper and efficient discharge of the functions of the Institute and the Council under this Act, on such terms and conditions of service as the Council may determine.

Staff of the Institute.

11. The Council may, on the advice of the Executive Director, engage the services of an expert or a consultant in respect of any of the functions of the Institute in which the expert or consultant has special competence.

Experts and consultants.

12. The Council may, by resolution delegate to any committee or to any member, officer, employee or agent of the Council, the exercise of any of the powers or the performance of any of the functions or duties of the Council or the Institute under this Act or under any other written law.

Delegation by the Council.

13. The members of the Council shall be paid such fees, allowances and disbursements for expenses as may be determined by the Council and approved by members at the annual general meeting.

Remuneration of Council members.

14. (1) The conduct of the business and affairs of the Council shall be as provided in the First Schedule.

Conduct of the business and affairs of the Council.

(2) Except as provided in the First Schedule, the Council may regulate its own procedure.

15. (1) The common seal of the Institute shall be kept in the custody of the Executive Director or of such other person as the Council may direct, and shall not be used except upon the order of the Council.

Common seal.

(2) The common seal of the Institute, when affixed to a document and duly authenticated, shall be judicially and officially noticed and unless the contrary is proved, any necessary order or authorization by the Council under this section shall be presumed to have been duly given.

16. No matter or thing done by a member of the Council or by any officer, member of staff, or agent of the Council shall, if the matter or thing is done *bona fide* in the performance of the functions, powers or duties of the Council under this Act, render the member, officer, employee or agent or any person acting on their directions personally liable to any action, claim or demand whatsoever.

Protection from personal liability.

17. (1) There is established the Architects Examinations Board.

Examinations Board.

(2) The Architects Examination Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) purchasing, acquiring, holding or disposing of property;
- (c) borrowing and lending money;
- (d) acquiring, holding and disposing of investments in other enterprises; and
- (e) doing or performing all such other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done by a body corporate.

(3) The Examinations Board shall consist of—

- (a) six persons who shall be registered architects nominated by the Council, one of whom shall be a distinguished academic scholar with at least ten years of experience in the management of university education;

- (b) one person nominated by the Technical and Vocational Training Colleges that offer diploma courses for the architectural technician.

(4) The Council shall appoint the Chairperson from amongst the members of the Examinations Board under subsection (2)(a).

(5) A member appointed to the Board under subsection (2)(a) shall hold office for a period of two years and shall be eligible for reappointment for a further and final term of two years.

18. (1) The Examination Board shall—

Functions of the
Examination
Board.

- (a) prescribe and regulate the syllabus of instruction for architects' professional examinations;
- (b) prepare and conduct examinations for persons seeking registration under the Act;
- (c) make rules with respect to professional examinations;
- (d) liaise with the Ministry of Education in the accreditation of institutions offering training in subjects examinable by the Examinations Board;
- (e) prescribe the fees and other charges payable with respect to such examinations;
- (f) issue certificates and other awards to candidates who have satisfied examination requirements;
- (g) investigate and determine cases involving indiscipline by students registered with the Examination Board;
- (h) promote recognition of its examinations locally and internationally;
- (i) remit a proportion of not less than thirty per cent of the fees collected under paragraph (d) to the Institute to support continuing architects' professional development; and
- (j) carry out any other functions prescribed for it under any of the provisions of this Act or under any written law.

(2) The Examination Board may co-opt such experts as it may consider necessary in furtherance of its functions.

PART III—REGISTRATION OF ARCHITECTS

19. (1) There is established the Registration Committee.

Registration
Committee.

(2) The Registration Committee shall comprise—

- (a) a chairperson appointed by the Council from amongst its members;
- (b) one person nominated by the Examinations Board; and
- (c) three persons nominated by the Council from amongst members of the Institute.

(3) The Registration Committee may co-opt such experts as it may consider necessary in furtherance of its functions.

(4) A member of the Committee appointed to the Board under subsection (2) shall hold office for a period of two years and shall be eligible for reappointment for a further and final term of two years.

(5) The Registration Committee shall—

- (a) receive applications for registration and grant practicing certificates in accordance with the provisions of this Act;
- (b) monitor compliance with professional quality assurance and other standards published by the Council for observance by the members of the Institute;
- (c) prescribe guidelines to govern quality assurance programmes, including actions necessary to rectify deviations from standards;
- (d) where appropriate and based on the results of a quality assurance investigation, recommend to the Council that a member's conduct be referred for inquiry; and
- (e) advise the Council on matters pertaining to professional and other standards necessary for the achievement of quality assurance.

(6) The Executive Director shall serve as the secretary to the Registration Committee, and may, with the consent of the person presiding at a meeting, take part in the deliberations on any matter arising at the meeting, but shall not be entitled to vote on any such matter.

20. (1) Subject to the provisions of this Act, a person shall be eligible for registration under this Act as a professional architect if that person—

Qualifications for registration.

- (a) is a graduate architect and has obtained practical experience as prescribed under this Act;
- (b) has passed a professional assessment examination conducted by the Board; and
- (c) is a full member of the Institute.

(2) Subject to the provisions of this Act, a person shall be eligible for registration under this Act as an architectural technician if that person—

- (a) holds a diploma in architecture or architectural technology and has obtained practical experience as prescribed under this Act;
- (b) has passed a professional assessment examination conducted by the Board.

(3) The Council may, by notice in the *Gazette*, approve qualifications it considers sufficient to allow a person to be registered as a professional architect or an architectural technician.

21. A person is disqualified from being registered if the person—

Disqualification from registration.

- (a) is convicted by a court of competent jurisdiction in Kenya or elsewhere of any offence involving fraud;
- (b) is an undischarged bankrupt;
- (c) is certified as being of unsound mind by a medical practitioner;
- (d) is found by the Council to be guilty of professional misconduct in accordance with this Act; or
- (e) fails to meet the requirements of Chapter Six of the Constitution.

22. A person may register an architectural firm if—

Registration of architectural firms.

- (a) the firm has a certificate of registration of a business name or certificate of incorporation;
- (b) the firm has at least one partner or director who is registered as an architect, the majority shareholder and has a valid practicing certificate; and
- (c) the person fulfils any other condition as may be stipulated by the Council.

23. (1) A person wishing to be registered as an architect or architectural technician shall apply to the Registration Committee.

Application for registration.

(2) An application under this section shall be made in the prescribed manner and form and shall be accompanied by the prescribed fee not exceeding ten thousand shillings.

(3) Where an application is made by a person in accordance with this section, the Registration Committee shall approve the application if it is satisfied that the applicant meets the requirements specified under section 20.

(4) A person shall not practice as an architect or architectural technician unless the person is registered under this Act.

24. The Executive Director shall issue to every person or firm registered under this Act, a certificate of registration in the prescribed form.

Certificate of registration.

25. (1) The Executive Director shall maintain a register containing—

Register.

- (a) the names of persons registered under this Act;
- (b) the names of persons issued with a practicing certificate;
- (c) the regular business address of each registered person;
- (d) particulars of the cancellation of the registration of any person; and
- (e) such other details as the Council may determine.

(2) The Executive Director shall remove from the register—

- (a) the name of a deceased member in a manner prescribed by Council;
- (b) any entry which has been incorrectly or fraudulently made; and
- (c) the name of a person removed under section 26.

(3) The Executive Director shall cause the name and address of a person whose name is removed from the register under this section, to be published in the *Gazette* within one month from the date of such removal.

(4) Upon the removal of the name of an architect or architectural technician from the register, the Executive Director shall inform the person of the removal by registered mail to the person's last recorded address.

(5) Where the name of any person has been removed from the register under this Act, it shall not be reinstated except by the direction of the Council.

(6) A person whose name has been removed from the register shall cease to be registered for the purpose of this Act from the date of such removal.

26. The Registration Committee may direct that the name of a person be removed from the register where such person—

Removal of names
from the Register.

- (a) is certified to be of unsound mind;
- (b) requests that the name be removed from the register;
- (c) is convicted of an offence under this Act;
- (d) has been found guilty and the person's registration under this Act has been revoked after the conclusion of disciplinary proceedings; or
- (e) is declared bankrupt.

27. The Executive Director shall make any necessary alteration or correction in the register in relation to any entry.

Correction of
Register.

28. (1) Where the name of any person has been removed from the register, the Council may, either of its own motion or on the application by the person concerned made in the prescribed manner and in either case after holding such inquiry as the Council thinks fit, direct that—

Reinstatement to the Register.

- (a) the removal of such a person's name from the register be upheld; or
- (b) the name of the person be restored in the register.

(2) Any person aggrieved by a decision of the Council in the exercise of its powers under this Part may appeal within thirty days to the High Court, and in any such appeal the High Court may confirm, annul or vary the decision as it deems fit.

29. A person registered under this Act shall—

Use of title.

- (a) by virtue of being so registered as a professional architect, be entitled to take and use the title and description of "Architect"; and
- (b) not take or use or affix to or use in connection with his premises, any title or description, in addition to that of an architect, other than as indicated by the particulars relating to his or her qualifications entered in the register.

PART IV—PRACTICING CERTIFICATE

30. (1) No person shall practice as a registered architect or an architectural technician unless the person has been issued with a valid practicing certificate.

Application for practicing certificate.

(2) A person wishing to obtain a practicing certificate shall apply to the Council through the Registration Committee.

(3) An application under this section shall be in the prescribed form and shall be accompanied by the prescribed fee, not exceeding ten thousand shillings and a professional indemnity cover.

(4) Where an application is made by a person in accordance with this section, the Executive Director shall issue such a person a practicing certificate if satisfied that the person—

- (a) is registered under this Act; and
- (b) meets such other requirements as may be prescribed.

(5) A practicing certificate issued under subsection (4) shall be valid for one year from the 1st of January to the 31st of December of that particular year and may, upon expiry, be renewed.

PART V – DISCIPLINE OF MEMBERS

31. (1) A member of the Institute shall be guilty of professional misconduct if such member—

Professional
misconduct.

- (a) fails to follow the standards of conduct and practice of the architectural profession set by the Council;
- (b) refuses, fails or neglects to apply established architectural principles in the course of discharging his or her professional functions;
- (c) is grossly negligent in the conduct of professional duties;
- (d) discloses information acquired in the course of duty to any person without the consent of their employer or client or otherwise than required by law;
- (e) engages in activities which conflict with those of their employer or client;
- (f) engages in activities which are contrary to those for which the person is registered as an architect or architectural technician;
- (g) allows an unlicensed person to practice in their name;
- (h) violates Chapter Six of the Constitution; or
- (i) fails to do any other act which may be prescribed.

32. (1) There is established the Professional Conduct Committee.

Professional
Conduct
Committee.

(2) The Committee shall consist of five members elected from amongst the members of the Institute.

(3) The Committee shall appoint one of their members to be the Chairperson.

(4) The Committee may co-opt experts as it may consider necessary for the furtherance of its functions.

(5) A member of the Committee shall hold office for a period of two years, renewable once.

33. (1) Where the Council has reason to believe that a registered person has committed an act of professional misconduct under section 31 it shall refer the matter to the Professional Conduct Committee which shall inquire into the matter.

Reference of matters to the Professional Conduct Committee.

(2) Notwithstanding subsection (1), the Professional Conduct Committee may, on the receipt of a complaint from any person that a registered person has committed an act of professional misconduct inquire into the matter.

34. (1) The Professional Conduct Committee shall afford a member whose conduct is under inquiry an opportunity to be heard in person or through a legal representative.

Inquiry by the Professional Conduct Committee.

(2) For proceedings at any inquiry held by the Professional Conduct Committee, the Committee may administer oaths and may, subject to any regulations made under this Act, enforce attendance of persons as witnesses and the production of books and documents.

(3) The Professional Conduct Committee may enter and inspect sites where construction, installation, erection, alteration, renovation, maintenance, processing or manufacturing works are in progress for the purpose of verifying that—

(a) professional architectural services are undertaken by registered architects under this Act; and

(b) standards and professional ethics and relevant health and safety aspects are observed.

(4) The Committee shall have the power to regulate its own procedure.

(5) The Professional Conduct Committee shall, within forty-five days, hear and determine a matter referred for inquiry under section 31 from the date of filing a complaint.

(6) Where the Committee is satisfied that a member has committed an act of professional misconduct, the Committee may recommend—

- (a) that the member be formally admonished;
- (b) that the member be suspended for a period not exceeding twelve months;
- (c) the withdrawal or cancellation of the practicing certificate of the member for such period not exceeding five years;
- (d) the imposition of a fine not exceeding five million shillings; or
- (e) the removal of the member's name from the Register.

(7) Upon receipt and consideration of recommendations by the Professional Conduct Committee, the Council shall within fourteen days inform the affected member in writing of the disciplinary action taken against the member and provide reasons for the action.

(8) A person aggrieved by the decision of the Professional Conduct Committee in the exercise of its powers under this section may within thirty days from receipt of the decision of the Professional Conduct Committee, appeal to the Council.

(9) A person aggrieved by the decision of the Council in the exercise of its powers under this section may within sixty days from the date of the decision of the Council, appeal to the High Court.

35. (1) Where a member of the Institute has been suspended from practicing, he or she may appeal to the Council for the lifting of the suspension at any time before the expiry of the suspension.

Lifting of suspension.

(2) Where the Council is satisfied that the suspension of a member of the Institute should be lifted, the Council shall, upon the receipt of the prescribed fee, lift the suspension and restore the member's registration and practicing certificate.

PART VI – FINANCIAL PROVISIONS

36. (1) The funds of the institute shall consist of—

Funds of the Institute.

- (a) such monies or assets as may accrue to or vest in the Institute in the course of the exercise of its powers or performance of its functions under this Act;

- (b) such monies as may be payable to the Institute pursuant to this Act or any other written law;
- (c) donations, gifts and endowments from lawful organizations or sources; and
- (d) grants.

37. The financial year of the Institute shall be the period of twelve months ending on the thirty first of December in each year.

Financial year.

38. (1) At least three months before the commencement of each financial year, the Council shall cause to be prepared estimates of the revenue and expenditure of the Institute for that financial year.

Annual estimates.

(2) The annual estimates shall make provisions for all estimated expenditure of the Institute for the financial year concerned, and in particular shall provide for the—

- (a) payment of salaries, allowances and other charges in respect of the staff of the Institute;
- (b) payment of pensions, gratuities and other charges in respect of former staff of the Institute;
- (c) proper maintenance of the buildings and grounds of the Institute;
- (d) maintenance, repair and replacement of the equipment and other property of the Institute;
- (e) payment of allowances of the members of the Council and the members of the Board; and
- (f) creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance, replacement of buildings or equipment, or in respect of such other matters as the Council may deem fit.
- (g) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate.

(3) No expenditure shall be incurred for the purposes of the Institute except in accordance with the annual estimates approved under subsection (2).

39. (1) The Council shall cause to be kept proper books and other records of accounts of its income, expenditure, assets and liabilities.

Accounts and audit.

(2) Within a period of three months after the end of each financial year, the Council shall submit to the general meeting of the Institute accounts of the Institute, in respect of that year, together with—

- (a) a statement of income and expenditure during that financial year; and
- (b) a statement of the assets and liabilities of the Council on the last day of that financial year.

(3) The accounts of the Institute shall be examined, audited and reported by an accountant or accounting firm appointed by the Council at the general meeting.

PART VII—OFFENCES AND PENALTIES

40. A person who, not being eligible to be registered under this Act, uses any title appropriate to a person so registered, or holds himself out directly or indirectly as being so registered, commits an offence and shall be liable on conviction to a fine not exceeding five million shillings, or imprisonment for a term not exceeding three years or both.

Holding out as a registered person under this Act.

41. A person who wilfully makes or causes to be made any false entry in, or falsification of, any register or record kept under this Act, or who presents or attempts to present himself or any person to be registered under this Act by making or producing or causing to be made or produced a false or fraudulent representation or declaration, either orally or in writing, commits an offence and shall be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding two years, or to both.

Falsification of registers or records.

42. A person convicted of an offence under this Act for which no penalty is provided shall be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year, or to both.

General penalty.

PART VIII—PROVISIONS ON DELEGATED POWERS

43. (1) The Council may make regulations generally for the better carrying out of the provisions of this Act.

Regulations.

(2) Without prejudice to the generality of subsection (1), the regulations may prescribe—

- (a) the procedure for the election of the chairperson and members of the Institute;
- (b) the curriculum and the courses of study to be pursued by the various cadres in order to satisfy the academic requirements of any particular registration;
- (c) the experience criteria to be met by candidates for registration;
- (d) the requirements for admission for different categories of members of the Institute under section 4;
- (e) a code of ethics, rules of professional conduct and standards of practice;
- (f) the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence;
- (g) fees payable under the Act;
- (h) forms under the Act;
- (i) procedure for removal of names from the register;
- (j) procedure for conduct of disciplinary hearings, including prescribed forms and fees;
- (k) rules for the calling, holding and conducting of meetings of the Council and of the members of the Institute; and
- (l) the criteria, procedure for application and consideration for the grant of rank Senior Architect.

PART IX – TRANSITIONAL PROVISIONS

44. (1) The Board of Registration of Architects and Quantity Surveyors established under Section 4 of the Architects and Quantity Surveyors Act shall perform the functions of the Council until the Council is constituted.

Transition.
Cap.525.

(2) Any person who was registered as an architect under the Architects and Quantity Surveyors Act, shall be deemed to have been registered as an architect under this Act.

Cap.525.

(3) Any application for registration as an architect under section 7(d) of the Architects and Quantity Surveyors Act shall be deemed to be an application under this Act. Cap.525.

(4) Any regulation, rule, order, notice, direction or form made or issued under the Architects and Quantity Surveyors Act, in so far as it relates to architects and is not inconsistent with this Act, shall continue in force as if made under this Act. Cap.525.

(5) Any register maintained, licence, certificate or approval granted, or other act lawfully done under the Architects and Quantity Surveyors Act, in so far as it relates to architects, shall be deemed to have been done under the corresponding provisions of this Act. Cap.525.

(6) Any disciplinary or other proceedings commenced under the Architects and Quantity Surveyors Act, in so far as they relate to architects, may be continued under the provisions of this Act as if they had been commenced under this Act. Cap.525.

(7) Any reference in any written law, contract, or other document to the Architects and Quantity Surveyors Act, in so far as it relates to architects, shall be construed as a reference to this Act. Cap.525.

45. The Architects and Quantity Surveyors Act is amended in the manner specified in the Second Schedule. Consequential amendments.

FIRST SCHEDULE [s. 14(1)]

PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNCIL

1. An office of a member of the Council shall become vacant if the member— Vacation of office.

- (i) dies;
- (ii) resigns the office by writing under his hand delivered to the chairperson of the Council;
- (iii) is absent without the permission of the chairperson from three or more consecutive meetings of the Council;
- (iv) is convicted of an offence and sentenced to imprisonment for a term of six months or more without the option of a fine;

(v) becomes for any reason including infirmity of body or mind, incompetent or incapable of performing the functions of the office; or

(vi) is otherwise unable to discharge his functions.

2. A vacancy in the office of a member under paragraph 1 shall be filled, by a person elected by the members of the Institute in the manner prescribed by the Regulations.

Filling of vacancy.

3. The Council shall, at its first meeting, elect a Vice Chairperson from amongst the persons elected under section 7 (1) (b) of this Act.

Vice chairperson.

4. (1) The Council shall meet at least four times each year.

Meetings.

(2) The Chairperson may at any time convene a special meeting of the Council and shall do so within fifteen days of a written requisition for the meeting signed by at least three members.

(3) The Chairperson shall preside at all meetings of the Council, which he is present and in the case of his absence, the Vice Chairperson shall preside.

(4) At a meeting of the Council at which neither the Chairperson or Vice chairperson is present, the members of the Council present shall elect one of their number to preside, and the person so elected shall have all the powers of the chairperson with respect to that meeting and the business transacted.

5. The quorum for the conduct of the business of the Council shall be six members.

Quorum.

6. The decisions of the Council shall be by a majority of votes, and the Chairperson of the meeting shall have an original and a casting vote.

Voting procedure.

7. The validity of any proceedings of the Council shall not be affected by any vacancy among the membership thereof, or by any defect in the appointment of a member thereof.

Validity of proceedings.

8. Minutes of the proceedings at meetings of the Council shall be kept in such a manner as the Council directs.

Minutes.

9. The Council may establish such committees as may be necessary for the performance of the functions of the Council and may, subject to the provisions of this Act, delegate powers conferred on it to any such committee.

Committees of the Council.

10. Subject to the provisions of this Schedule, the Council shall regulate its own procedure.

Power of the Council to regulate its own procedure.

11. (1) If a member of the Council is directly or indirectly interested in any contract, proposed contract or other matter before the Council and is present at a meeting of the Council at which the contract, proposed contract or other matter is the subject of consideration, he shall, at the meeting and as soon as reasonably practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter.

Disclosure of interest.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

SECOND SCHEDULE [s.43]

CONSEQUENTIAL AMENDMENTS

1. The Architects and Quantity Surveyors Act is amended in section 1, by deleting the words "Architects and".

Amendment to Cap. 525.

2. The Architects and Quantity Surveyors Act is amended in section 2 by —

Cap.525.

- (i) deleting the words "architects or" appearing in the definition of "registered person";
- (ii) deleting the words "Architects and" appearing in the definition of "the Board";
- (iii) deleting the words "Architects and" appearing in the definition of "the Registrar".

3. The Architects and Quantity Surveyors Act is amended in section 3 by deleting the words “architect, architecture, architectural” wherever they appear in subsection (1). Cap.525.

4. The Architects and Quantity Surveyors Act is amended in section 4 by— Cap. 525.

- (i) by deleting the words “Architects and” appearing in subsection (1); and
- (ii) by deleting the words “architects” appearing in the opening statement to subsection (2);

5. The Architects and Quantity Surveyors Act is amended in section 5 by — Cap. 525.

- (i) deleting the words “architects and” appearing in paragraph (f);
- (ii) deleting the words “architecture or” appearing in paragraph (h); and
- (iii) deleting the words “architecture and” appearing in paragraph (l).

6. The Architects and Quantity Surveyors Act is amended in section 6 (1) by deleting the words “Architects and”. Cap. 525.

7. The Architects and Quantity Surveyors Act is amended by repealing section 7. Cap. 525.

8. The Architects and Quantity Surveyors Act is amended in section 10 by deleting the words “architecture and”. Cap. 525.

9. The Architects and Quantity Surveyors Act is amended by repealing section 16. Cap. 525.

MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and reasons for the Bill

The object of this Bill is to provide for the training, registration, and licensing of architects and architectural technicians, as well as the regulation of architectural practice.

PART II (Clause 3-18) contains provisions on the establishment of the Institute of Architects, its Council, its powers and functions and the establishment of the Examination Board with its functions.

PART III (Clauses 19-29) of the Bill contains provisions on the establishment of a registration Committee, the registration process and the requisite qualifications for registration of Architects and architectural technicians.

PART IV (Clause 30) of the Bill provides for the issuance of practicing certificates to registered architects and architectural technicians.

PART V (Clauses 31-35) of the Bill contains provisions on the discipline of members of the Institute.

PART VI (Clauses 36-39) of the Bill contains financial provisions.

PART VII (Clauses 40-42) of the Bill contains provisions on offences and penalties.

PART VIII (Clause 43) of the Bill contains provisions on delegated powers. It gives the Council powers to make regulations for the better carrying out of the provisions of the Act.

PART IX (Clause 44-45) of the Bill contains transitional provisions and consequential amendments.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

This Bill delegates legislative powers to the Council of the Institute to make regulations for the carrying into effect of the provisions of the Bill. The Bill does not limit any fundamental rights or freedoms.

Indication of whether the Bill concerns county governments

The Bill seeks to provide for the training, registration and licensing of Architects and architectural technicians and to regulate the architectural practice.

Paragraph 16 of Part 1 of the Fourth Schedule to the Constitution provides that universities, tertiary educational institutions and other institutions of research and higher learning is a function of national

governments. In view of this, the Bill does not concern County Governments in terms of Article 110(1)(a) of the Constitution, as it does not affect the functions and powers of County Governments recognised in the Fourth Schedule to the Constitution and is therefore not a Bill concerning county governments.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The enactment of this Bill shall not occasion additional expenditure of public funds to be provided for through the annual estimates.

Dated the 18th February, 2026.

WANAMI WAMBOKA,
Member of Parliament.

