



LAWS OF KENYA

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**PHYSICAL PLANNERS REGISTRATION ACT**

No. 3 of 1996

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**NO. 3 OF 1996**

**PHYSICAL PLANNERS REGISTRATION ACT**

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SCHEDULE

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**NO. 3 OF 1996**

**PHYSICAL PLANNERS REGISTRATION ACT**

[Date of assent: 9th July, 1996.]

[Date of commencement: 29th April, 1997.]

**An Act of Parliament to provide for the registration of physical planners and for purposes connected therewith**

[L.N. 81/1997.]

**PART I – PRELIMINARY**

**1. Short title**

This Act may be cited as the Physical Planners Registration Act, 1996.

**2. Interpretation**

In this Act, unless the context otherwise requires—

“**Board**” means the Physical Planners Registration Board established by section 3;

“**Minister**” means the Minister for the time being responsible for Physical Planning;

“**Registrar**” means the Registrar of the Board appointed under section 5;

“**register**” means the register of physical planners kept in accordance with section 6;

“**registered physical planner**” means a person whose name is for the time being entered in the register as a registered physical planner under section 7.

**PART II – ESTABLISHMENT OF THE PHYSICAL PLANNERS  
REGISTRATION BOARD**

**3. Establishment and functions of the Board**

(1) There is hereby established a Board, to be known as the Physical Planners Registration Board which shall be responsible for regulating the activities and conduct of physical planners registered in accordance with the provisions of this Act.

(2) The Board shall—

- (a) be a body corporate with perpetual succession and a common seal;
- (b) be capable of suing and being sued in its corporate name;
- (c) be capable, for and in connection with the carrying out of the purposes of this Act, of acquiring, holding and disposing of movable and immovable property.

(3) The provisions of the Schedule shall apply to the constitution, meetings and other matters provided for in that Schedule.

(4) The Board shall—

- (a) register all eligible persons to practise as physical planners in accordance with the provisions of this Act;
- (b) set and conduct examinations for purposes of registration of members;
- (c) verify the qualifications and eligibility of the applications seeking registration with the Board; and
- (d) enquire into the professional misconduct of a member and institute disciplinary proceedings against such member in accordance with the provisions of this Act.

#### **4. Limitation of liability of members of the Board**

No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of carrying out the functions of, or exercising the powers conferred upon the Board under this Act.

### PART III – THE REGISTRAR AND THE REGISTER OF PHYSICAL PLANNERS

#### **5. Appointment of Registrar**

The Minister shall appoint a public officer as the Registrar of the Board who shall hold and vacate his office in accordance with the terms of his appointment.

#### **6. Register of Physical Planners**

(1) The Registrar shall keep and maintain a register in which the name of every person eligible to have his name entered therein shall be entered if he is accepted by the Board for registration under this Act and showing against his name—

- (a) the date of the entry in the register;
- (b) his address;
- (c) his qualifications; and
- (d) such other particulars as the Board may from time to time direct.

(2) All changes in the particulars recorded under subsection (1) shall be entered in the register by the Registrar.

#### **7. Certificate of registration**

(1) Where the name of a person has been entered in the register, the Registrar shall issue a certificate of registration in the prescribed form to that person but the certificate shall remain the property of the Board.

(2) Where the name of a person has been removed from the register, the Board shall give notice to that person by registered post, or if he is dead to his legal personal representative, requiring the certificate of registration to be surrendered to the Board.

(3) A person who fails to comply with the requirements of a notice given under subsection (2) within twenty-one days after the receipt by him of the notice shall be guilty of an offence and liable to a fine not exceeding one hundred thousand shillings or to imprisonment not exceeding twelve months or to both.

(4) A certificate of registration issued by the Registrar shall be valid for one year, and shall be renewable on the payment of the prescribed fee but where the prescribed fee has been paid in advance of the renewal date and there is no order that the name of the holder of the certificate be removed from the register, the certificate shall remain in force until it again becomes due for renewal.

(5) If a certificate of registration is lost or destroyed and the loss or destruction is proved to the satisfaction of the Board, the Registrar shall issue a duplicate of the certificate to the registered physical planner concerned on payment of the prescribed fee.

#### **8. Publication of register and list**

(1) The Registrar shall cause to be published in the *Gazette*, as soon as may be practicable after entry in the register, the name, address and qualification of each registered physical planner and, subject to the directions of the Board, he may cause to be so published any amendments to the register.

(2) The Registrar shall cause to be published in the *Gazette* at the beginning of each year a notice of the names, addresses and qualifications of all registered physical planners, entered in the register.

#### **9. Publication *prima facie* evidence of registration**

A notice published under section 8 shall be *prima facie* evidence that the persons named therein are registered physical planners and the deletion from the register of the name of any person from a notice, shall be *prima facie* evidence that the person is not registered.

#### **10. Inspection of register**

Any person may, during normal office hours and on payment of the prescribed fee, inspect the register or any document or entry in the register and may obtain from the Registrar a copy of, or an extract from, the register or any such document.

#### **11. Proof of documents**

(1) In any legal proceedings a document purporting to be a copy of, or an extract from, the register or any document kept or published by the Registrar which is certified by the Registrar to be a true copy or extract shall be admissible as *prima facie* evidence of the contents of the register or document.

(2) The Registrar shall not, in any legal proceedings to which he is not a party, be compelled—

- (a) to produce the register or any document if its contents can be proved under subsection (1); or
- (b) to appear as witness to prove an entry in the register or the matters recorded in the register or any document, unless the court for special cause so orders.

**12. Conditions and qualifications for registration**

(1) Subject to this Act, a person shall be entitled, on making an application to the Board in the prescribed form and on the payment of the prescribed fee, to be registered and to have his name entered in the register if—

- (a) he is the holder of a bachelor's or postgraduate degree in urban or regional planning or both from any university which is recognized for the time being by the Board and has passed an examination prescribed by the Board;
- (b) he has been admitted as a corporate member of an approved professional institution whose qualifications for such admission are not less than those prescribed in paragraph (a); or
- (c) if before the commencement of this Act he is a corporate member of the Architectural Association of Kenya (Town Planning Chapter).

(2) A person shall not be eligible to take the examinations prescribed by the Board unless he has had two years post qualification practical experience in physical planning.

(3) Notwithstanding the fact that an applicant is qualified in terms of subsection (1), the Board may require the applicant to satisfy the Board that his professional and general conduct has been such that, in the opinion of the Board, he is a fit and proper person to be registered under this Act and the Board may direct the Registrar to postpone the registration of the applicant until it is so satisfied.

**13. Acceptance for registration**

(1) An application made to the Board under section 12 shall be considered by the Board and if it is satisfied that the applicant is so qualified it shall accept the applicant for registration.

(2) When the Board has accepted an applicant for registration it shall direct the Registrar to enter the name of the applicant in the register.

(3) The consideration of an application under this section shall be done by the Board and shall not be delegated to any committee of the Board.

**14. Registration in exceptional circumstances**

(1) Where a person satisfies the Board—

- (a) that he is qualified under section 12;
- (b) that he is not ordinarily resident in Kenya; and
- (c) that he is or intends to be resident in Kenya and engage in practice as a physical planner for the specific work for which he has been engaged,

the Board may direct the Registrar to register that person either for a period not exceeding one year or for the period of the duration of the specific work which he has been engaged to do.

(2) An application for registration under this section shall be made in the prescribed form accompanied by the prescribed fee and a documentary evidence of the applicant's work or employment immediately prior to his coming to Kenya and the Board may require him to appear before it for the purposes of considering his application.



**15. Removal of names from register**

- (1) The Board may, when satisfied that a registered physical planner has—
- (a) died; or
  - (b) failed to pay the prescribed fee; or
  - (c) failed, within a period of six months from the date of an inquiry sent by the Registrar by prepaid registered letter to the address appearing in the register against his name, to notify the Registrar of his current address; or
  - (d) requested his name to be removed from the register; or
  - (e) had his name entered in the register by mistake or by reason of any false or misleading information; or
  - (f) had his qualification under section 12 withdrawn or cancelled by the body through which it was acquired or by which it was awarded; or
  - (g) been adjudged bankrupt; or
  - (h) been found by the Board to be guilty of an act or omission prejudicial to the public interest or misconduct under section 23; or
  - (i) been convicted of an offence under this Act; or
  - (j) being a company, been placed under receivership or in liquidation whether compulsorily or voluntarily,

direct that the name of such registered physical planner be removed from the register.

(2) Except in the circumstances specified in subsection (1)(a) a registered physical planner whose name is removed from the register shall be informed in writing by the Registrar of the removal of his name by a registered letter sent to the address appearing against his name in the register.

(3) The Registrar shall cause to be published in the *Gazette* as soon as practicable, the name, address and qualifications of a person whose name is removed from the register under this section.

**16. Restoration of names on register**

(1) Where the name of a registered physical planner has been removed from the register under section 15 or section 17(c) his name shall not again be entered on the register unless the Board otherwise directs.

(2) Where the name of a registered physical planner has been removed from the register or his registration has been suspended under section 17(b) the Board may, either of its own motion or on the application of any person made in the prescribed form and in either case after holding such inquiry as the Board considers necessary, direct that—

- (a) the removal from the register be confirmed; or
- (b) the name of that physical planner be restored on the register; or
- (c) the suspension of the registration of that physical planner be terminated.

(3) A direction given by the Board under subsection (2) may include the date upon which restoration on the register or the termination of a suspension of the

registration shall take effect and for the payment by the physical planner concerned of such fee, not exceeding the fee payable in respect of an application for registration as the Board may prescribe.

#### **17. Suspension of registration, etc.**

If a registered physical planner is convicted of an offence under this Act or is, after due inquiry held by the Board, found to have been guilty of an act or omission amounting to professional misconduct or activities prejudicial to the public interest the Board may—

- (a) caution or censure the registered physical planner; or
- (b) direct that his registration is suspended for such period as the Board may specify; or
- (c) direct that his name be removed from the register; or
- (d) impose on the registered physical planner a penalty not exceeding ten thousand shillings.

#### **18. Procedure at inquiry**

(1) A registered physical planner who is the subject of an inquiry held under this Act may appear at the hearing in person or by an advocate representing him.

(2) For the purpose of proceedings at an inquiry held by it, the Board shall have power—

- (a) to administer oaths;
- (b) to summon persons to attend and give evidence; and
- (c) to order the production of documents.

(3) Any summons or order issued under the hand of the chairman or the vice-chairman shall be deemed to have been issued by the Board.

(4) The chairman, or in his absence the vice-chairman, shall record or cause to be recorded a summary of any oral evidence given at an inquiry held by the Board.

(5) Subject to this section and to any regulations made under section 25, the Board shall have power to regulate its own procedure.

(6) For the purposes of an inquiry held under this Act the Board shall, not less than twenty-one days prior to the date of the inquiry, notify by registered letter all the persons concerned.

(7) If a person upon whom a summons or an order issued under subsection (2) has been served—

- (a) refuses or neglects without sufficient cause to attend at the inquiry; or
- (b) refuses without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief all questions put to him by or with the concurrence of the Board; or
- (c) refuses or omits without sufficient cause to produce any document in his possession or under his control which is specified in the summons or order,

he shall be guilty of an offence and liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three months or to both.

**19. Appeals against refusal to register, etc.**

Any person aggrieved by a decision of the Board—

- (a) refusing to register his name;
- (b) removing his name from the register; or
- (c) suspending his registration; or
- (d) refusing to restore his name on the register,

may, within sixty days after he has received the written decision of the Board, appeal to the High Court against the decision of the Board and in the case of such appeal—

- (i) the appeal shall be treated as an appeal to the High Court from a subordinate court exercising civil jurisdiction;
- (ii) the High Court may give directions as it deems fit; and
- (iii) the decision of the High Court shall be final.

**PART IV – MISCELLANEOUS****20. Effect of registration**

(1) A person whose name has been entered in the register shall so long as his name remains on the register, be entitled to adopt and use the title “Registered Physical Planner” or such contraction thereof as the Board may approve.

(2) Any person who adopts or uses the title “Registered Physical Planner” or practices or holds himself out as a registered physical planner in contravention of subsection (1) shall be guilty of an offence and liable to a fine not exceeding one hundred thousand shillings or to imprisonment not exceeding twelve months or to both.

**21. Unregistered persons not to practise as physical planners**

(1) After the expiration for six months from the commencement of this Act or such further period as the Minister may, by notice in the *Gazette*, allow either generally or in respect of any particular person or class of persons—

- (a) no individual shall carry on business as a registered physical planner unless he is a registered physical planner under this Act;
- (b) no partnership shall carry on business as registered physical planners unless all the partners whose occupation involves the preparation of plans in respect of land under the Physical Planning Act (Cap. 286) and are registered physical planners;
- (c) no body corporate shall carry on business as registered physical planner unless the directors thereof whose occupation involves the preparation of plans in respect of land under the Physical Planning Act (Cap 286) and are registered physical planners.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding twelve months or to both.

**22. Carrying on practice for purposes of winding up, etc.**

Notwithstanding any other provisions of this Act, where a person ceases to carry on business as a registered physical planner by reason of his death or insolvency, or by reason of having been adjudged to be of unsound mind, the business may be carried on for the purposes of winding up or being disposed of by a registered physical planner appointed in that behalf by the person for the time being authorized by law to deal with the administration of the property of such person for a period not exceeding twelve months from the date of the death or commencement of the disability.

**23. Dishonest practices**

Any person who—

- (a) fraudulently makes, or causes or permits to be made any false or incorrect entry in the register or any copy thereof; or
- (b) fraudulently procures or attempts to procure the entry in the register of any name or other particulars whether on his own behalf or on behalf of any other person; or
- (c) knowingly and wilfully makes any statement, oral or written, which is false in any material particular or which is misleading with a view to gaining any advantage or privilege under this Act whether for himself or for any other person,

shall be guilty of an offence and liable to a fine not exceeding fifty thousand shillings or to imprisonment not exceeding six months or to both.

**24. Finance**

The Minister may, with the consent of the Treasury, out of moneys provided by Parliament—

- (a) make to the Board such grants as may be necessary to enable it to discharge its functions under this Act;
- (b) pay remuneration and travelling and other allowances to the members of the Board other than members who are public officers in receipt of a salary;
- (c) make such other payments as may be necessary for the better carrying into effect of the provisions of this Act.

**25. Regulations**

The Minister may, after consultation with the Board, make regulations generally for the better carrying out of the purposes of this Act and without prejudice to the generality of the foregoing, any such regulations may—

- (a) provide for the conduct of the business of the Board and the procedure to be followed by the Board at any inquiry under this Act;
- (b) provide for the appointment by the Board from amongst its members of sub-committees and the co-option of persons thereto;
- (c) provide for the appointment and duties of officers of the Board;
- (d) provide for the definition of professional misconduct and activities prejudicial to the public interest;

- (e) prescribe the procedure to be followed by persons applying for registration;
- (f) prescribe the fees to be charged under, and the forms to be used for the purposes of this Act;
- (g) prescribe the changes which may be made for services rendered by way of practice as registered physical planners; and
- (h) prescribe anything which under this Act may be prescribed.

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## SCHEDULE

[Section 3(3).]

### 1. Membership of the Board

The Board shall consist of nine members appointed by the Minister as follows—

- (a) a chairman who shall be a public officer and member of the Architectural Association of Kenya (Town Planning Chapter);
- (b) two persons who shall be public officers and members of the Architectural Association of Kenya (Town Planning Chapter);
- (c) one person who is a member of the Architectural Association of Kenya (Town Planning Chapter) and is in the service of a local authority;
- (d) four persons who are members of the Architectural Association of Kenya (Town Planning Chapter) appointed from among persons engaged in private practice as registered physical planners who are recommended by the Association.
- (e) one member of the teaching staff of the Department of Physical Planning in the University of Nairobi who is a member of the Architectural Association of Kenya (Town Planning Chapter).

### 2. Tenure of office

(1) The office of a member appointed under paragraph 1 shall become vacant—

- (a) if he ceases for any reason to be a member of the Architectural Association of Kenya (Town Planning Chapter); or
- (b) if he resigns his office by written notice addressed to the Minister; or
- (c) at the end of three years from the date of his appointment.

(2) Any casual vacancy shall be filled by the Minister by appointment as it arises.

(3) A retiring member shall be eligible for reappointment for another period of three years.

**3. Chairman and vice-chairman**

(1) The Board shall elect one of its members to be the vice-chairman of the Board.

(2) The chairman and vice-chairman shall hold office for a period of three years from the date of nomination or election unless they cease to be members of the Board before the expiration of that period.

**4. Meetings of the Board**

(1) The chairman of the Board shall convene an ordinary meeting of the Board whenever he deems it necessary or expedient, but not less frequently than once in every three months, for the transaction of the Board's business and shall appoint a suitable time, place and date for holding the meeting.

(2) The chairman of the Board may at any time on his own initiative, convene a special meeting of the Board or shall convene a special meeting of the Board within twenty days after he has received a written request to do so signed by not less than three members of the Board.

**5. Quorum at meeting of the Board**

(1) The chairman or vice-chairman and five other members of the Board shall constitute a quorum at any meeting of the Board.

(2) All matters for consideration by the Board or acts to be done by the Board shall be decided by a resolution at a meeting of the Board at which a quorum is present.

(3) A decision of the majority of members present and voting at a meeting of the Board shall be deemed to be a decision of the Board.

(4) Every member of the Board shall have one vote, and in the event of an equality of votes, the person presiding shall have a second or casting vote in addition to his deliberative vote.

(5) Notwithstanding sub-paragraph (2) where the chairman so directs, a decision may be made by the Board without the Board meeting by circulation of the relevant papers among all the members and requiring each member to express his views in writing, but a member may require that a decision shall be deferred for consideration at a meeting of the Board and in such a case no decision shall be made until there has been a meeting of the Board.

(6) The validity of any proceedings of the Board shall not be affected by any vacancy among the membership or by any defect in the appointment of a member.

**6. Minutes of meetings and appointment of secretary**

(1) Minutes in proper form of each meeting of the Board shall be kept, and shall be confirmed by the Board at the next meeting and signed by the person presiding at the meeting.

(2) The Registrar shall be the Secretary to the Board and shall attend and keep minutes of the meetings of the Board and perform such other duties as the Board may require.

**7. Procedure**

Subject to this Schedule and to any regulations made under section 25 the Board may regulate its own procedure.

**8. The seal of the Board**

The seal of the Board shall not be affixed to any instrument except in the presence of the chairman or the vice-chairman and one other member of the Board.

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**NO. 3 OF 1996**

**PHYSICAL PLANNERS REGISTRATION ACT**

SUBSIDIARY LEGISLATION

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**PHYSICAL PLANNERS (PROFESSIONAL MISCONDUCT) (PROCEDURE)  
RULES, 1998**

[L.N. No. 123/1998.]

1. These Rules may be cited as the Physical Planners (Professional Misconduct) (Procedure) Rules, 1998.

2. In these Rules, “**Professional misconduct**”, in relation to a charge against a registered physical planner, means conduct which the Board deems, after due inquiry, to be professional misconduct.

3. (1) A registered physical planner shall be guilty of misconduct if such physical planner—

- (a) knowingly accepts any professional planning work which involves the giving or receiving of discounts or commissions;
- (b) accepts to complete work partly done by another planner while the latter has not been fully paid and his contract of engagement has not been terminated;
- (c) undertakes specialist work without sufficient knowledge of the subject or expert assistance;
- (d) knowingly prepares or certifies any statement which is false, incorrect or misleading by reason of the misstatement, omission or suppression of a material fact or otherwise;
- (e) deviates from the schedule of fees prescribed by the Board by charging less than the charges laid down without notifying the Board of his intention to do so, and the reasons for the extent of such deviation and receiving the Board’s sanction thereto;
- (f) being a registered physical planner in employment accepts professional work on one’s own account without the knowledge and consent of the employer unless the contract of service expressly authorizes one to do so;
- (g) commissions another registered physical planner and pays less than the agreed fees;
- (h) advertises one’s name, firm or work in the press, television, radio or by means of circulars, displays or otherwise except in a manner approved by the Board;
- (i) conducts oneself in a manner which the Board may deem incompetent, dishonourable or grossly negligent in connection with the work performed by him/her;
- (j) offers, expresses or communicates to the public or a client any criticism or adverse comment on the professional services or conduct of another registered physical planner without giving the latter a chance of defending himself/herself;
- (k) gives expert evidence in courts or before other judicial bodies if one has financial interests in the proceedings other than proper and reasonable fees payable for the services;
- (l) releases or misuses confidential information relating to the client;

**[Subsidiary]**

- (m) abandons work already started without giving a satisfactory explanation to the client;
- (n) acts for two parties with conflicting interests without both of them knowing;
- (o) withholds reports, drawings and other materials connected to the project from an employer or client if the other party has fulfilled his/her part of the contract;
- (p) claims as his/her own another physical planner's ideas, designs or concepts;
- (q) practises in a business name or style without one's name and qualifications appearing on the letterhead.

(2) A registered physical planner will be held responsible for the acts of members of one's staff so far as they relate to matters falling within the scope of his/her professional practice.

4. An inquiry into the conduct of a registered physical planner may be instituted by the Board upon the Board's initiative or upon complaint addressed to the Board in writing made by or on behalf of any person alleging professional misconduct on the part of a registered physical planner.

5. The Board may require the complainant to file further particulars of any of the matters complained of and may require the complaint or any part thereof to be verified by an affidavit.

6. Upon receipt of a complaint against a registered physical planner, the Board shall notify the physical planner complained against, giving the grounds of the complaint under cover of registered letter sent to his/her last known address.

7. (1) The Board shall cause a statement to be prepared setting out the allegation of professional misconduct to be investigated.

(2) The Registrar shall transmit to each member of the Board and to the physical planner whose conduct is subject of investigation a copy of the statement prepared in pursuance of subparagraph (1).

8. (1) The Registrar shall give notice of the date, time and place fixed for inquiry to the physical planner whose conduct is the subject of inquiry.

(2) Where a physical planner whose conduct is the subject of inquiry fails to appear either personally or by his/her advocate at the time and notwithstanding his/her absence.

(3) The Board may of its own motion or upon a request by the physical planner whose conduct is the subject of inquiry adjourn the hearing upon such terms as it thinks fit.

9. The chairman of the Board shall take or cause to be taken a note of all the proceedings before the Board or may direct that a record of any proceedings before it shall be taken down in shorthand.

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**PHYSICAL PLANNERS (REGISTRATION PROCEDURE) RULES, 1998**

[L.N. No. 124/1998, Corr. No. 60/1998.]

1. These rules may be cited as the Physical Planners (Registration Procedure) Rules, 1998.
  2. In these Rules “**Registration Procedure**” means the procedure to be followed by persons applying for registration to the Board as set out in the Act.
  3. An application for registration shall be made to the Registrar in writing and upon payment of the prescribed fee, the applicant shall be issued with the application form as set out in Form II in the First Schedule to these Rules.
  4. A duly completed form will be submitted to the Registrar together with certified copies of the relevant academic/professional certificates.
  5. The Board may require the applicant to submit original certificates for scrutiny.
  6. The Board’s decision shall be communicated to the applicant in writing by registered post.
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**PHYSICAL PLANNERS (FORMS AND FEES) RULES, 1998**

[L.N. 125/1998, Corr. No. 60/1998.]

1. These Rules may be cited as the Physical Planners (Forms and Fees) Rules, 1998.
2. The register of physical planners to be maintained by the Registrar in accordance with section 6 of the Act shall be in Form 1A in the First Schedule to these Rules.
3. An application for a licence to render physical planning services in accordance with section 12 of the Act shall be in Form II in the First Schedule to these Rules.
4. The certificate of registration to be issued by the Registrar in accordance with section 7 of the Act shall be in Form III in the First Schedule of these Rules.
5. The practising certificate to be issued by the Registrar to a registered physical planner shall be in Form IV set out in the First Schedule of these Rules.
6. The application for restoration/re-instatement in accordance with section 16 of the Act shall be in Form V in the First Schedule to these Rules.
7. The fees set out in the Second Schedule shall be payable to the Board by registered physical planners in respect of the matters set out therein.
8. The fees chargeable for services rendered by practising physical planners shall be those in the Third Schedule to these Rules.

FIRST SCHEDULE

[Corr. No. 60/1998.]

Form 1A

(Section 6 and Rule 2)

**THE PHYSICAL PLANNERS REGISTRATION BOARD**

**REGISTER**

Name in full ..... Title .....

Nationality ..... Age .....

Academic and Professional affixes .....

Date of application for registration .....

Date of issue of certificate .....

Postal Address .....

Change of Address	Date of change
1. ....	.....
2. ....	.....
3. ....	.....

is hereby registered as a Physical Planner this ..... day of ..... 20 .....

and a certificate to this effect similarly attested is duly authorised to be issued as per Minute No. .... of .....

*Physical Planners Registration*

[Subsidiary]

FIRST SCHEDULE—*continued*

In witness whereof the Common Seal has been affixed hereto.

.....  
*Chairman of the Board*

.....  
*Member of the Board*

.....  
*Registrar*

.....  
*Member of the Board*

ENDORSEMENTS

.....  
*Chairman of the Board*

.....  
*Member of the Board*

.....  
*Registrar*

.....  
*Member of the Board*

**Form 1B**

No. ....

**THE PHYSICAL PLANNERS REGISTRATION BOARD**

**THE PHYSICAL PLANNERS REGISTER (SUMMARY)**

Serial No.	Name and Address	Qualifications	Registration Certificate No.	Practising		Remarks
				Yes	No	
1.						
2.						
3.						
4.						

**CONFIDENTIAL**



FIRST SCHEDULE—continued

Form II

(Section 12(1) and Rule 3)

THE PHYSICAL PLANNERS REGISTRATION ACT

(NO. 3 OF 1996)

THE PHYSICAL PLANNERS REGISTRATION BOARD

APPLICATION FOR REGISTRATION

1. Surname ..... Title .....
(Block Capitals)

Other Names .....
(Block Capitals)

Date of Birth .....

Marital Status .....

Nationality .....

Qualifications .....

Postal Address .....

Residential Address .....

.....

Telephone No. Office ..... House .....

Fax No. .... E-mail Address .....

Have you previously applied for registration? YES/NO.

If yes, state date(s) .....

2. Educational background (state the name of institutions; duration and degree/diploma, etc., and award).

Table with 4 columns: Duration, Course, Institution, Award

3. Professional examination (state examining body, professional qualifications, membership status and year):

Table with 4 columns: Examining Body, Professional Qualifications, Membership Status, Year

4. Professional experience (state name of organization, duration, position(s) held and responsibilities:

Table with 4 columns: Organization, Duration, Position held, Responsibilities

5. Other Qualifications (specify with dates):

.....
.....
.....

Physical Planners Registration

[Subsidiary]

FIRST SCHEDULE—continued

6. Membership of other institutions:

.....  
.....  
.....  
.....

7. Honours/Distinctions received:

.....  
.....  
.....

8. Publications:

.....  
.....

9. Are you ordinarily resident in Kenya? YES/NO

If yes, state from what date .....

10. I enclose a cheque/postal order/money order for KSh. .... as payment of application fee which I understand is not refundable (see Note (a))

11. I hereby declare that the foregoing statements are true in every respect. I acknowledge that my statement contained in this application which is false shall invalidate this application. I have read the Physical Planners Registration Act (No. 3 of 1996). I am aware of the penalties stipulated in the Act and I understand that if registered, I shall be bound by the provisions of the Act and any amendments thereto so long as my name remains in the register.

Date ..... Applicant's Signature .....

FOR OFFICIAL USE ONLY	
Application No. ....	Date received .....
Receipt No. ....	Date .....
Approved/Rejected/Deferred .....	Minute No. ....
Chairman's Signature .....	.....
Date .....	.....
Board Member's Signature .....	Date .....
Registrar's Signature .....	Date .....
Date notification sent .....	.....

NOTES

- (a) Cheques, postal orders or money orders should be crossed Account Payee Only and made payable to the "Physical Planners Registration Board".
- (b) Certified copies of your educational and professional certificates where applicable should be enclosed with this application. Original certificates when called for may be either delivered at the Board's offices or sent by registered post. No responsibility can be accepted by the Board for lost certificates.
- (c) Give full details of your professional experience and employment record during the last five years starting from your present appointment.



FIRST SCHEDULE—continued

Form III

(Section 7 and Rule 4)

PHYSICAL PLANNERS REGISTRATION ACT

(NO. 3 OF 1996)

CERTIFICATE OF REGISTRATION

This is to certify that ..... is a Registered Physical Planner in accordance with the provisions of the Physical Planners Registration Act (No. 3 of 1996) in witness whereof the common seal has been hereto affixed.

..... (Member)

..... Registrar

..... (Member)

Date .....

Serial No.

Form IV

(Rule 5)

THE PHYSICAL PLANNERS REGISTRATION ACT

(NO. 3 OF 1996)

PRACTISING CERTIFICATE

This is to certify that ..... is authorised to practice, as a Physical Planner for the period ..... to ..... in accordance with the Physical Planners Registration Act

..... (Registrar)

..... (Chairman)

Date .....

Form V

(Rule 6)

THE PHYSICAL PLANNERS REGISTRATION BOARD APPLICATION FOR RESTORATION/RE-INSTATEMENT

Reg. No. ....

- 1. Name ..... Postal Address ..... Tel. No. .... Date of Removal from Register/Suspension ..... Gazette Notice No. .... Date ..... 2. Reasons for seeking restoration/re-instatement. ....

Physical Planners Registration

[Subsidiary]

FIRST SCHEDULE—*continued*

3. I enclose a cheque/postal order/money order for KSh. .... as payment of application fee which I understand is not refundable.

Date ..... Applicant's Signature .....

FOR OFFICIAL USE ONLY	
Application No. ....	Date Received .....
Receipt No .....	Date .....
Approved/Rejected/Deferred .....	Minute No. ....
Chairman's Signature .....	Date .....
Board Member's Signature .....	Date .....
Registrar's Signature .....	Date .....
Date notification sent .....	

SECOND SCHEDULE

[Rule 7.]

(i) Application fee (S.12(1)) .....	500
(ii) Application fee (S.14(1)) .....	2,000
(iii) Registration fee (S.13) .....	1,000
(iv) Practising certificate fee (S.13) .....	5,000
(v) Practising certificate fee (S.14) .....	10,000
(vi) Restoration fee (S.16(2)(b)) .....	2,000
(vii) Duplicate registration certificate (S.7(5)) .....	500
(viii) Suspension (re-instatement) fee (S.16(2)(c)) .....	500
(ix) Renewal certificate (S.7(4)) .....	1,000
(x) Duplicate practising certificate .....	250
(xi) Inspection of register (S.10) .....	100
(xii) Inquiry proceedings fee .....	100

THIRD SCHEDULE

[Rule 8, Corr. No. 60/1998.]

**CHARGES FOR SERVICES RENDERED BY PRACTISING PHYSICAL PLANNERS**

The scale of charges for services rendered by practising physical planners shall be based on time (man-hours, days month), area, (acres, hectares and/or sub-plots) or value of land prior to planning intervention. A registered physical planner shall make known to the client the alternative methods of charge.

1. (1) There shall be three categories of physical planner consultants, namely—
  - (a) junior consultant;
  - (b) senior consultant;
  - (c) principal consultant, who shall be owner of consulting firm.
- (2) The minimum hourly charges shall range between KSh. 1,500 and KSh. 3,500. A client will negotiate the actual fee with the registered physical planner.
- (3) The maximum charge shall be negotiated and agreed, taking into consideration the physical planner's qualifications, experience and the complexity of the contract task.

*Physical Planners Registration*

[Subsidiary]

THIRD SCHEDULE—*continued*

- (4) A planning assistant who shall be a non-registered graduate physical planner may be recruited by a registered physical planner. The remuneration of the former shall be negotiable but must be below KSh. 1,500, per hour.
- (5) A technician/draughtsman working for a registered physical planner shall be remunerated at a fee below that paid/ payable to a planning assistant.
- (6) The alternative mode of charges shall be one eighth of daily salary for a registered physical planner who is employed on a full-time basis, proof of which shall be a payslip.  
A working day is considered to consist of eight (8) hours; and twenty days to make one man-month.
- (7) There shall be additional charges equivalent to 30 per cent of gross emoluments to cover overhead costs.
- (8) Cost re-imbursables such as transport, accommodation and Government/local authority levies, shall be met by the client upon production of proof of such expenditure.
2. (a) Subdivision of Rural Agricultural Land
- | Land Size                | Fee (KSh.) per acre |
|--------------------------|---------------------|
| First 1,000 acres        | 500                 |
| Over 1,000 acres         | 300                 |
| Minimum for whole scheme | 30,000              |
- (b) Subdivision of Urban Agricultural Land (Under City, Municipal and Town Council authorities):
- | Land Size      | Fee (KShs.) per acre |
|----------------|----------------------|
| First 50 acres | 12,000               |
| Over 50 acres  | 9,000                |
| Minimum        | 50,000               |
- (c) Subdivision of Urban Residential Land:
- |                |         |
|----------------|---------|
| First 25 acres | 30,000  |
| Over 25 acres  | 15,000  |
| Minimum        | 200,000 |
- (d) Comprehensive Development - I (using acreage):
- |                |         |
|----------------|---------|
| First 25 acres | 75,000  |
| Over 25 acres  | 50,000  |
| Minimum        | 200,000 |
- (e) Comprehensive Development - II (using sub-plots):
- |                |         |
|----------------|---------|
| First 5 plots  | 6,750   |
| Next 25 plots  | 5,500   |
| Next 70 plots  | 4,250   |
| Next 100 plots | 3,250   |
| Over 200 plots | 2,250   |
| Minimum        | 200,000 |
- (f) Industrial and Commercial Development (High Density):
- |                    |         |
|--------------------|---------|
| (a) First 25 acres | 40,000  |
| Over 25 acres      | 27,500  |
| Minimum            | 100,000 |
| or                 |         |
| (b) First 5 plots  | 20,000  |
| Next 20 plots      | 15,000  |

*Physical Planners Registration*

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[Subsidiary]

THIRD SCHEDULE—*continued*

Over 25 plots	7,500
Minimum	100,000

Provided that in all cases where acreage is used as a basis for charge, and the unit of measure is the hectare, these charges shall be multiplied by 2.5 (two dot five).

3. (1) A registered physical planner shall charge 5 per cent of the value of land covered by the scheme plan.
  - (2) The value of land shall be such as mutually agreed between the registered physical planner and the client or determined by a valuer registered under the Valuers Act (Cap. 532).
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