



Since 1962

The Journal of Association of Professional Societies in East Africa.

THE PROFESSIONAL

4TH EDITION, NOV. 2022: 60 YEARS OF PROFESSIONAL SERVICE AND INNOVATING TO FACE NEW REALITIES

Strategic

Litigation

& Movement Building

Multiple Careers

Among Industry Practitioners



Inter-sex Children
Under The Children's Act

60 YEARS OF PROFESSIONAL SERVICE



MORE INSIDE...
ADDRESSING A NATIONAL CRISIS OF POOR PROFESSIONALISM



Fostering Posterity

MOTTO

Fostering posterity

VISION

A quality life inspired by competent professionals

MISSION

To mobilize ,invest and apply resources to develop and sustain professionalism in Kenya and East African Region

CORE VALUES

Sustainability, Prudence, Professionalism, Integrity, Accountability

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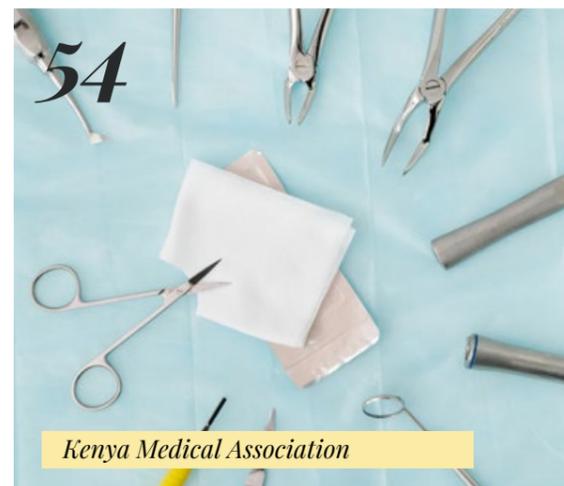
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Message from The Chairman



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APSEA Chairman

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Greetings from The Association of Professional Societies in East Africa (APSEA)

Today is a red-letter day for the APSEA family as we celebrate our journey of Professionalism as from 1962. Since inception, we are proud to host 30 corporate members and over 500,000 individual members in Kenya. We look back at the vision the pioneers of our Association had: that is, to see professionals in Kenya work together to achieve best practices in their different sectors. This vision has been realized.

On this occasion, I extend my gratitude to the past members of the APSEA Executive Committees for their dedication towards achieving our Association's mission and mandate. I know that this journey was not easy, but you remained true to the vision. We stand on their shoulders and continue towards promoting and enhancing professionalism in East Africa.

As professionals, we remain dedicated to our members and continue to strengthen relationships with our business partners, regulators, stakeholders, and shareholders. Our success is measured by the cordial relationship and patronage that we have mutually enjoyed over the years. Indeed, this journey would not be possible without their support. We appreciate your support and commitment over the years.

On this occasion of 60th year celebration, we renew our pledge to further strengthen the position of APSEA and aspire to remain the leading Professional Association in East Africa. This aspiration will be achieved through our relentless effort to be innovative, adaptable to best practices in technology and embrace change which includes artificial intelligence, Internet of things and many more.

I look forward to working with you to raise the standards of professionalism in the coming years.

Felix Okatch, EBS

APSEA Chairman

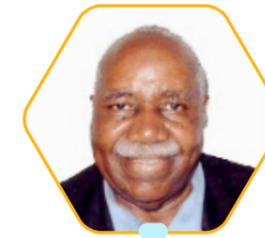
The Executive Committee of APSEA



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Convener- Professional Integrity And Ethics Committee (PIEC)



Vincent Otieno Oluoch
Professional Business Development Committee (PBDC)



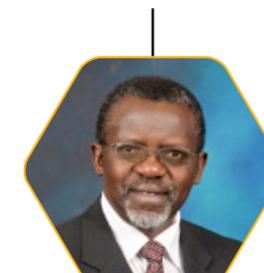
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Clr. Collins Kowuor
Convener- Public Affairs Committee (PAC)



CS. Samson Kibii
Co-opted Executive Committee Member



Prof. William Ogara
Co-opted Executive Committee Member

COUNCIL MEMBERS OF THE ASSOCIATION OF PROFESSIONAL SOCIETIES IN EAST AFRICA (APSEA) FOR 2022

NO	ASSOCIATION	COUNCIL MEMBERS	ALTERNATE MEMBER
1	AAK	Arch. Alex Nyagah	Arch. Florence Nyole
2	ACEK	Eng. Patrick Wambulwa	Eng. Jane Mutulili Eng. Gabriel Jabongo
3	CIARB	Dr. Willy Lubulellah Mutubwa	Dr. Wayne Mutuma
4	GSK	Mr. Chrysanthus Gicheruh	Dr. Christine Omuombo Dr. Ng'ang'a Kuria
5	ICPAK	FCPA George Mokuia	CPA Edwin Makori
6	ICS	CS. Diana Sawe	FCS Jeremiah N. Karanja
7	ICWK	Mr. Harrison Yengo	Mr. Lawrence Githaiga
8	KIFST	Dr. John Muoria	Dr. Sheila Kilonzi
9	IJK	Ms. Agnes Macharia	Ms. Christine Ronga
10	IQSK	Qs. Jennifer Musyimi	Qs. Jordan Rabach
11	ISK	Mr. Abraham Samoei	Mr. Eric Nyadimo
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14	KDA	Dr. Timothy Theuri	Dr. David Mundia
15	KIB	Mr. Julias Odhiambo Alego	Mr. Emmanuel Okutoyi Mr. Peter Gitau
16	KIP	Plan. Joakim Nyarangi	Plan. Mildred Ambani
17	KISM	Mr. John Karani	Ms. Serah Okumu
18	KMA	Dr. Simon Kigonda	Dr. Diana Marion
19	KSP	Dr. Henry Opondo	Dr. Catherine Wambua
20	KVA	Dr. Nicholas Muyale	Dr. James Ouma
21	LSK	Mr. Eric Theuri	Ms. Florence Muturi
22	PSK	Dr. Louis Machogu	Dr. Lucas Nyabero
23	IEK	Eng. Eric Ohaga	Eng. Grace Kagonda
24	KMS	Dr. Richard Rukwaro Muita	Dr. Christopher Oludhe
25	KIM	Dr. Muriithi Ndegwa	Mr. Raymond Mwangi
26	ICIFA	FA. Mr. Einstein Kihanda.	FA Diana Muriuki
27	IHRM	CHRP Odera, Phillip Dalmas	CHRP Quresha Abdullahi
28	EIK	Ms. Linda Munyao	Mr. Ronald Kimtai
29	IARS	Mr. Stephen Kiarie	Mr. Onuong'a Maragia
30	KARMA	Cleophas Ambira	Collins Mutimba

60 Years of Professional service and innovation to face new realities



By Anne Gumbi,
Executive Officer, APSEA

APSEA History.

Association of Professional Societies in East Africa (APSEA)

The Association of Professional Societies in East Africa is a Joint Forum and an umbrella body of professionals associations established in 1961 comprising of a corporate membership of thirty (30) Professional Associations from diverse professional disciplines.

It started as The Association of Professional Societies in Kenya. The idea was first promoted in January 1961. An inaugural meeting was held at the Norfolk Hotel on Wednesday 5th July 1961 at 5.00pm. The Association came into full existence in October 1961 when the constitution had been agreed and the first council under the constitution took office. Mr Graham McCullough (Kenya Chapter of Architects) and Dr. Eric Horowitz were the original moving spirits in the creation of the Association.

Those present in the inaugural meeting were-

1. MacLennan: - Association of Accountants in East Africa.
2. P.N McMonnies: - Association of Accountants in East Africa.
3. J.Loxton:-Royal Institution of Chartered Surveyors(Kenya Branch)
4. D. Duncan:- Royal Institution of Chartered Surveyors(Kenya Branch)
5. S.C. Lock: - Kenya Chapter of Architects.
6. G. McCullough: - Kenya Chapter of Architects.
7. A.E. Samji: - East Africa Dental Association.
8. A.H.Guest:- Kenya Chapter of Architects.
9. K.V.Devani:-Pharmaceutical Society of East Africa.
10. D. Burton: - Pharmaceutical Society of East Africa.
11. G. Harris: - The Law Society of Kenya
12. A.E.Hunter:-The Law Society of Kenya.
13. A.Hicks:- British Medical Association (Kenya Branch)
14. C.T.Henfrey:- East Africa Institute of Engineers
15. W.E Rolli: - East Africa Institute of Engineers.

Apologies were received from R.H Ansell and R.H.K Davis (Kenya Society of Practicing Veterinary Surgeons) and Dr E.Horowitz and Dr T.F Anderson (British Medical Association, Kenya Branch).

A committee was formed to draft the initial constitution of the Association. It was unanimously agreed that Mr. Graham McCullough be appointed as Association Secretary and Mr G. Harris as the Chairman. The committee formed drafted the Initial constitution, which was adopted in a meeting that took place at the Norfolk hotel on Wednesday 11th October 1961.

It was noted that under article 4 (1) of the adopted constitution, a council shall consist of Nine persons. There was no need of a ballot and the following were elected as council members:-

1. G.Mc Gullough
2. P.T Health
3. E.Horowitz
4. A.H Guest
5. C.T.Henfrey
6. G. Harris
7. D. Burton
8. J.Loxton.

The Founder Member Societies paid subscription of Kshs 100/= for the year 1961. The founder societies were-

1. Association of Accountants in East Africa.
2. Royal Institution of Chartered Surveyors(Kenya Branch)
3. Kenya Chapter of Architects.
4. East Africa Dental Association.
5. Pharmaceutical Society of East Africa.
6. The Law Society of Kenya
7. British Medical Association (Kenya Branch)
8. East Africa Institute of Engineers
9. Kenya Society of Practicing Veterinary Surgeons

A third meeting of the council held on Friday 17th November 1961 and Chaired by Mr Gerald Harris adopted a paper tabled by the Chairman that gave definition of "Professional Society". This was discussed at length and after modifications, it was adopted as a guide for considering future applications for membership.

Mr Mc Monnies from the Association of Accountants in East Africa acted as Auditor for the 1961, 1962 and 1963 accounts.

The Kenya Gazette of 26th December 1961 records then Registrar of Societies, H.F. Hamel granting exemption to the Association of Professional Societies in Kenya from the provisions of the Societies Act with effect from 19th December 1961. (Other organizations receiving similar exceptions in the same Gazette notice included Vihiga Social Club, Muslim Sports Club, Nakuru and the International Order of Good Templars, Kenya Branch.)

The Association council arranged a meeting with Sir Donald MacGillivray, Chairman of proposed University of East Africa on 24th March 1962. This meeting gave proposals that led to-

1. Amendments to constitution for the Association to become "The Association of Professional Societies in East Africa"
2. For a seat on the council of the Association to be available to a representative of the governing body of the University.



A general meeting of the Association was called to consider the proposed amendments. On Friday 27th April 1962, amendments of the constitution were unanimously approved, one of which was:-

- Article 1: Substitute "In East Africa" for "In Kenya"
- Article 3(1): Substitute "In East Africa" for "In Kenya".

The Association became "Association of Professional Societies in East Africa".

In May 1962, the following were invited to join the Association:-

1. The Association of Land Surveyors of Kenya
2. The Trained Nurses Association of Kenya
3. The Engineer's Guild, Kenya Regional Association

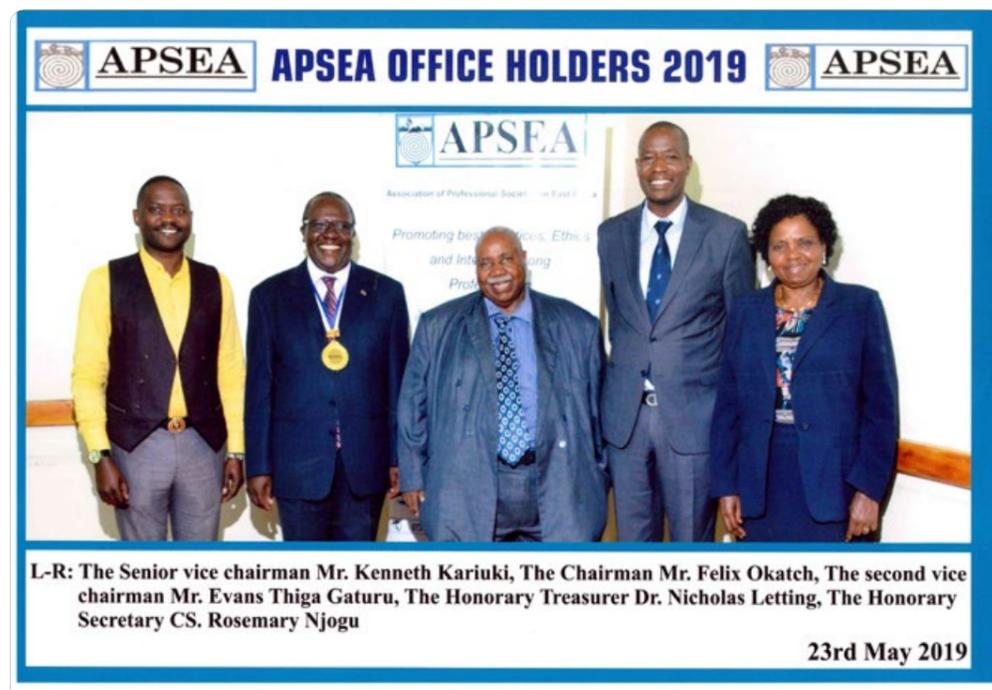
Others were Uganda Medical Association and The East African Association of Physiotherapists in November 1962.

By 1964, the membership had grown to Sixteen Professional Societies and Medical Association of Kenya replaced the former British Medical Association (Kenya Branch). The Association was formally registered on 6th June 1962, under the Societies Rules and under section 5(2) of the societies Ordinance, 1952. The Kenya gazette of 12th June 1962 carries the notice by the Assistant Registrar of Societies recording the change of exemption from the provisions of the Societies Act from Association of Professional Societies in Kenya to Association of Professional Societies in East Africa.

The Association council had a custom of attending an annual church service of dedication. In 1969. A Special General Meeting approved a revised constitution. Among other things, it introduced Provisions to extend membership of the council to all the representatives of corporate members so that each member's society is represented by at least one member on the council. The annual subscription was reviewed to Kshs 300/=.

In an Annual General Meeting held on the 22nd March 1972, a proposal was tabled that the constitution be amended to include an article numbered "5" that reads, "The council may from time to time in its discretion appoint a patron of the Association who shall hold office at the pleasure of the council". This proposal was unanimously approved without discussion.

Honorable Mr. Charles Njonjo, EGH, M.P became the first patron of APSEA. This was celebrated by a lunch at Muthaiga Golf Club held



in August 1972. In a meeting in 1972, it was decided that the image of the Association would be improved by adopting a heraldic badge, which might be used on printed matter and could perhaps be preserved in a permanent manner as a physical feature on a building to house the Kenya Professional Centre, A committee was appointed to look into it.

In 1976, a proposal by the Nairobi City Council; to impose charges on professional practitioners in the city of Nairobi was received with dismay by the Association council. The Association chairman was requested by the council to approach the Patron of the Association, the Hon.Attorney General on the matter with a view of rescinding the proposal. The Association Patron officially opened a clubroom at the completed Professional Centre in March 1977.The Clubroom was for lectures, luncheon meetings and discussions among others. However, the Members club was later closed in early 1982 as it was not serving the purpose it was meant for, The Professional Centre management decided to replace it with a proper restaurant.

In July and August 1984, special meetings were held by the Association to formulate plans for financial contributions to the National Famine Relief Fund to be made by corporate member organizations and Association itself. This culminated in a visit to state house on Tuesday 21st August 1984 where in the course of the audience with His Excellency the President Hon.D.T Arap Moi, CGH, M.P., a collective total of just under Kshs 190,000/= was presented to His Excellency as a donation towards the National Famine Relief Fund. The APSEA Chairman, Mr Amos Wako, led the delegation to State house.

In a council meeting held on Tuesday 26th February 1985, it was unanimously resolved without debate that the Head of State, His Excellency the President of the republic of Kenya be approached with a view to being invited to become Patron of the Association. The Chairman of the Association would initiate an approach to the President. His Excellency the President of the republic of Kenya,D.T.Arap Moi,C.G.H.,M.P., graciously consented to confer upon APSEA the signal honor of his Patronage. A Patron's luncheon was held on 17th October 1985 in the Ballroom of the Hotel Intercontinental, Nairobi. The Guest of Honor was His Excellency the President Hon.D.T.Arap Moi, C, G.H., M.P.

It is interesting to note that the first Association Dinner Dance was held on 26th May 1984 at the Tsavo room of the Hilton International

Hotel. The proposal for an annual dinner dance was tabled by the then Chairman, Mr B.S. Rihal in the one hundred and sixteenth meeting of the council held on Thursday 12th January 1984. The proposal was to hold the annual social event in conjunction with the Annual General Meeting during which the In-coming Chairman would also formally assume office. The suggestion was unanimously approved and a sub-committee was immediately appointed to effect the necessary organization.

On Thursday 27th November 1986, the Association celebrated its 25th Anniversary at the Professional Centre. Events held to commemorate the twenty fifth anniversary of the Association included

1. Patron's luncheon on 27th November,
2. Theatre and Supper Evening on 27th November 1986
3. Golf Tournament on Friday 28th November 1986 at the Limuru Country Club.
4. Squash Tournament on Thursday 4th December 1986 at Nairobi Club.
5. A Seminar on "Stress and the Professional" on Friday 5th December at the New Stanley Hotel.
6. An Exhibition with theme "Development of the Individual Member Societies over the Past 25 years" held at the Professional Centre from Monday 1ST December to Saturday 6th December 1986
7. Television Interview in V.O.K in the Program "Professional View" on 26th November 1986.

In the recent past, APSEA has developed strong partnerships with governmental and non-governmental institutions that promote the cause of professionalism. APSEA continues to provide the much-needed link between the government and professionals especially in cross cutting issues through the Public-Private Sector Partnership Programme. Sixty

years later, APSEA continues to thrive to be the Epitome of Professionalism.

Vision: A world-class Association of Professional Societies.

The Mission: "To promote high Professional and Ethical Standards, Create strategic alliances and safeguard the interest of Professional Societies in East Africa."

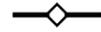
Objectives of APSEA

- Providing leadership in the delivery of professional services in the East African Region and beyond;
- Promoting the interests of the professions and their members in East Africa;
- Maintaining and advancing the highest professional standards in the public interest;
- Representing corporate members in

matters that the corporate members consider better handled at that level;

- Co-operating and networking with other professional organizations or groups to advance and enhance the cause of professionalism;
- Fostering issues of public interest by advocating, promoting or contesting legislative or other policy proposals and enactments as may be necessary or expedient;
- Advancing professionalism, professional education and training for the benefit of its members and the public good;
- Providing and acquiring facilities, equipment and other resources for the benefit of its members;
- Involving and being supportive of any other activities that are conducive to the above objectives and the cause of professionalism and professional development.





Inter-sex Children Under the Children Act, 2022

The long winding journey towards the legal recognition and registration of intersex children in Kenya



by John Chigiti SC.

Being born neither a male nor a female child, Baby A had a lot of legal hurdles to overcome in a legislative regime that had little or nothing to offer from day one, not even a Birth certificate.

The child decided to bite the bullet for the sake of the future of intersex children when she moved to court in Petition No.266 of 2013, wherein she raised a host of concerns around her right to get a birth certificate amongst other rights. The David in the legal battle that little Goliath had to face was a colonial era law in Section 7(1) of the Births and deaths Registration Act which provided, "It shall be the duty of every registrar to keep a register of births and a register of deaths and to enter therein, respectively, the prescribed particulars of every birth notified to him."

According to Section 2 (a) of this law, "prescribed particulars" means as to any birth, the name, sex, date and place of birth, and the names, residence, occupations and nationality of the parents.

This colonial law had historically indirectly discriminated against intersex children since it did not have any specific reference to intersex children making it impossible to register or issue them with birth certificates.

Baby A filed the Constitutional Petition in The High

Court so as to enable her to secure a birth certificate- www.kenyalaw.org.

Realizing the gap in the law, Justice Lenaola directed the Registrar of births to issue the child with a Birth Certificate in the year 2014.

Towards promoting social justice and the national values and principles of governance and in the drive towards ensuring that intersex children enjoy equality and inclusion within Article 10 of The Constitution, in July 2022, The Children Act 2022 came into force bringing the foregoing historical indirect discrimination to an end by legally recognizing intersex children. The Act has opened the door for the registration of these children.

The book known as the intersex Persons and The Law in Kenya by John Chigiti SC brought out a host of the issues around the social economic rights that have been cured in the Children Act 2022.

According to The Children Act 2022, "*intersex child*" means a child with a congenital condition in which the biological sex characteristics cannot be exclusively categorized in the common binary of female or male due to inherent and mixed anatomical, hormonal, gonadal or chromosomal patterns, which could be apparent prior to, at birth, in childhood, puberty or adulthood".



What a milestone towards the realization of social justice. It is a first in Africa.

This definition has offered a safe space to ensure that the status of being intersex does not deprive an intersex person of their constitutionally guaranteed rights under the bill of rights.

Section 7(2) of the Children Act provides that, "*Every child has the right to be registered in the Register of Births immediately after birth in accordance with the Births and Deaths Registration Act.*"

Section 7 (3) of the Act goes ahead to provide for the how in that, "*The Principal Registrar shall take measures to ensure correct documentation and registration of intersex children at birth.*"

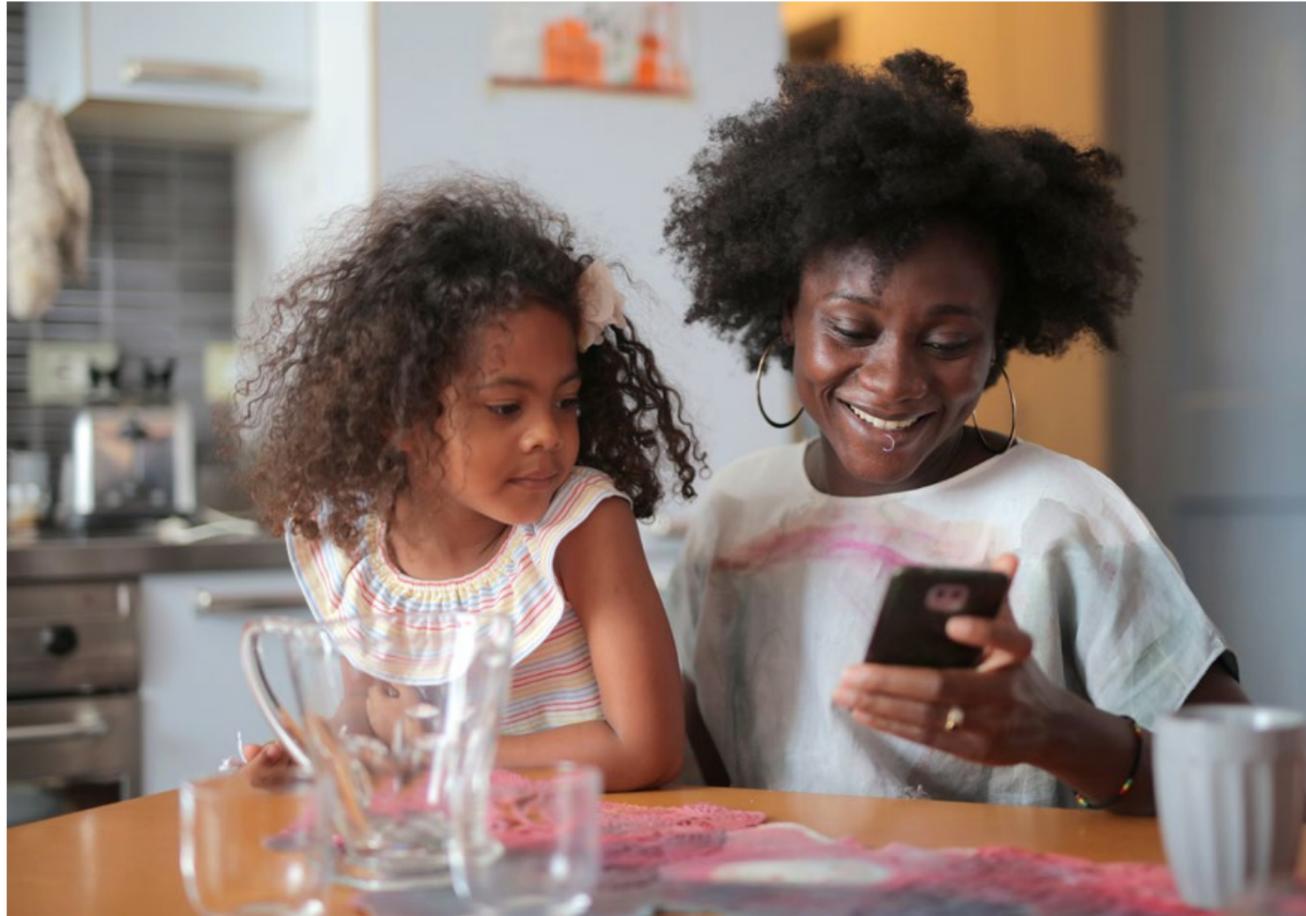
These provisions allow for the long-awaited registration framework for intersex children within the Birth and Deaths Registration Act alongside boys and girls. This simply means that the law accords them recognition and they are now able to enjoy Constitutionally guaranteed rights as any other child and citizen of the republic of Kenya.

What a milestone towards the realization of social justice. It is a first in Africa.

That is not enough. The law makers went all out for these children. Section 21 of the Act provides that, "*An intersex child shall have the right to be treated with dignity, and to be accorded appropriate medical treatment, special care, education, training and consideration as a special need category in social protection services.*"

This Section generates a very huge strides towards the realization, fulfilment, protection and promotion of the standards of living of these vulnerable children. They hitherto suffered from discrimination and denial of access to education and health offending their right to dignity. They can now glow and smile given that their status and dignity has been elevated to that of humanity.

These children have in the past been subjected



to unnecessary surgeries in the name of “correcting their genitalia” so that they look like boys or girls. In Baby A petition to the High Court, we asked the court to address its mind to the issues around the right to bodily autonomy and integrity. We wanted the court to totally ban the surgeries and generate guidelines to inform and guide the doctors in the event the surgeries were to be conducted as result of medical emergencies given that the Law was silent on this issue.

We have all reasons to celebrate since, Section 23 (1) (f) of The Children Act 2022 now provides that no person shall subject a child to except with the advice of a medical geneticist, organ change or removal in case of an intersex child;

Section 23(2) further provides that, “A person who contravenes the provisions of subsection (1) commits an offence and shall, on conviction, be liable to imprisonment for a term of not less than three years or to a fine of not less than five hundred thousand shillings, or to both.”

We can now comfortably say that this has ended the unnecessary intersex child cosmetic corrective surgeries. These children will now grow freely into intersex who will live fully fledged lives without hiding their identities.

Children in conflict with the law

For children in conflict with the law, Section 26(3) of the Act provides that male, female and intersex children deprived of liberty shall be accommodated in separate facilities.

These children have in the past been subjected to unnecessary surgeries in the name of “correcting their genitalia” so that they look like boys or girls.

Section 64. (1) of the Act provides that The Inspector-General shall establish child protection units in every police station for the purposes of providing, on a temporary basis, a safe and non-threatening environment for children in conflict with the law.

The Secretary may inspect children protection units established under subsection: -

- (1) to ascertain their compliance with the general

standards prescribed for children’s institutions under this Act or any other written law.

(3) The child protection units established under subsection (1) shall be desegregated by gender with clear sections for boys, girls and intersex children.

This is a great move for the intersex children in conflict with the law given that a majority of holding facilities lack infrastructure for intersex children. This schedule will allow the intersex children to be treated with dignity and held in facilities that are alive to their dignity. This will also create jurisprudence in the Kenyan courts for intersex children in conflict with the law.

Section 95 of the Act provides that the court shall inter alia consider the needs of intersex children and even summon expert witnesses before issuing any orders with respect to a child.

Section 144(z) of the Act describes an intersex child as a child in need of care and protection as one who is intersex and is subjected to or likely to be subjected to discriminatory treatment or abuse.

Adoption

In an affirmative gesture that resonates with the right to family under Article 45 of our Constitution, Section 174 (2) of the new law provides that (2) A single man shall not qualify to foster a female child under this Part unless he is a father to a female child, and a single woman shall not qualify to foster a male child under this Part unless she is a mother to a male child.

This restriction shall not apply to a person who applies to be a foster parent to an intersex child.

This is a major step towards the promotion of social justice and the

national values and principles of governance which offers a drive towards ensuring that intersex children enjoy equality and inclusion within Article 10 of The Constitution.

This provision will go a long way towards the eradication of the abandonment and neglect of intersex children.

At the end, Section 250 of the Children Act provides that, Section 7 of the Births and Deaths Registration Act is amended by inserting the following new subsection immediately after subsection (1)—“(2) The Register under subsection (1) shall include details of an intersex child and intersex person.”

2. Section 29 of the Births and Deaths Registration Act is amended in paragraph (d) by inserting the following words immediately after the

This provision will go a long way towards the eradication of the abandonment and neglect of intersex children.

word “documents”— “that shall include details of an intersex child or an intersex person as.

Under Section 29 Births and Deaths Registration Act Rules, The Minister may make rules with regard to all or any of the following matters—

the forms of all registers, returns and other documents required for the purposes of this Act;

The new Children Act, 2022 has provided expansive protections and guarantees for intersex children allowing them to live fully fledged lives enjoying with dignity just like any other child born within the Republic of Kenya.





HISTORY OF THE PROFESSIONAL CENTRE



Written by Mr David Macoco
Convener- Professional Resource
Centre Committee (PRCC)



In the year 1968, the idea to establish a Kenyan Professional Centre was conceived after a similar Centre was formed in Uganda through financial assistance from the Commonwealth Foundation. In the same year, the APSEA Hon. Secretary, Mr. G. McCullough traveled to London where he met Mr. John Chadwick, The President of the Commonwealth Foundation to brief him on the views of the Kenyan association. The goal of establishing a Kenyan Centre was to use it as; -

- a. A suite of rented rooms;
- b. A building to provide APSEA Committee and Corporate Members rooms to hold meetings;
- c. As a house for various records and archives of each member Society;
- d. An accommodation for holding a Professional examination; and
- e. A Centre which will be furnished as a club with BAT(Best Available Techniques) facilities.

In 1969, APSEA received a letter from the Commonwealth Foundation demonstrating

their acceptance to offer financial support for the formation of a Kenyan Professional Centre. In 1970, APSEA Leadership applied for a suitable piece of land in Nairobi to build the Professional Centre. On 6th January 1971, a letter from the ministry of Lands was received specifying the plot granted, which was L.R. NO/209/4315 (now Nairobi Block 28/602) in St. John's Gate, Nairobi, at a stand premium of Kshs.30,000 and an annual rent of Kshs.6,000.

The transfer of the piece of Land from the Government prompted the need to form a company limited by a guarantee to take up the ownership of the property which was in the best interest of the Association. The Commonwealth Foundation contributed a financial grant of 20,000 Sterling Pounds for the establishment of the Professional Centre.

The Professional Centre office was opened at the beginning of May 1970 in the offices rented by the Law Society of Kenya on the 6th Floor in Vedic House, Queensway. Professional Centre staff were drawn by way of secondment from LSK, Accountants and

the Engineers. In 1971, the Company had not yet been incorporated and this had now been delayed in the light of one of the papers to be presented at the Singapore conference which suggested that where Commonwealth Foundation funds had been provided for the establishment of a Centre such sum or proportion of such sum should be returned to the Commonwealth Foundation in the event of a Centre winding up.

On 3rd March 1972, Professional Centre a public limited company limited by guarantee was incorporated and its Memorandum and Article of Association were open for inspection. In addition to the grant received from the Commonwealth Foundation, Professional Centre received more financial support from Rahemtulla Trust, Kenya Association Secretaries and the APSEA Corporate members.

In 1974 the construction of the Professional Centre building commenced and was expected to be completed by July 1975. After completion, the building was officially opened on 21st October 1975 by the APSEA Patron,

the Honourable Charles Njonjo, E.G.H; MP at 11.30 am.

Professional Centre Achievements

Since its incorporation, Professional Centre through the leadership of Professionals and past Chairpersons has posted tremendous achievements which include just to mention but a few; -

- f. Owning a building at the heart of Nairobi City;
- g. Promoting the interest of the professionals in Kenya by donating substantial amounts to APSEA on a monthly basis to aid in the running of the Association's operations;
- h. Gradually growing the accumulated reserve over the years;
- i. Growing the human resource capacity from being seconded by APSEA members to having its own employees; and
- j. Operating the Company on a going-concern basis.

0726 610 945
0733 610 948

The Professional Centre Chairpersons from 1968 to date:

1) L R Whittaker	1967-1968	12) AK Lakha	1987-1989
2) R Jones	1969-1971	13) C M Sande	1989-1991
3) E Johnson	1971-1972	14) W J Absaloms	1991-1993
4) G Mccullogh	1972-1973	15) J N Gitoho	1993-1997
5) D J Coward	1973-1975	16) R G Mwai	1997-2003
6) D M Mutiso	1975-1977	17) S C Wafula	2003-2007
7) A S Gray	1977-1978	18) D W Ichang'i	2007-2013
8) M J D'Cruz	1978-1980	19) S W Oundo	2013-2017
9) C W Obura	1980-1982	20) I Wanyoike	2017 -2019
10) B S Rihal	1982-1984	21) F O Okatch	2019 to Date
11) S A Wako	1984-1987		

Lessons Learned

The genesis of Professional Centre (PC) as a Company wholly owned by the Association of Professional Societies in East Africa (APSEA) has been expounded above. Some Corporate Members are surprised that each year we have two Annual General Meetings (AGM.) - one for APSEA and the other one for PC. The explanation is PC is a Company and should therefore follow the requirements of a Company. On the other hand, APSEA is a Professional Body governed by the rules of the Registrar of Societies. Indeed at the PC AGM, the elected officials of APSEA convert to Directors and the Secretary becomes Company Secretary. It is therefore advisable to have the APSEA Secretary to be a Certified Secretary.

Serving as an official of APSEA or of any Corporate Member is a calling. The official is expected to offer his/her knowledge, expertise and time pro bono. The silver lining is that elections are held every two years with an option of re-election for only one more term.

Parting Shot

Every human organization (professional, faith-based or family) requires a robust succession

plan. There should be mentors and mentees. It is important that young members of a profession should be ready and willing to serve when called upon to be officials of a Professional Body.

The Corporate Members of APSEA are encouraged to continue with regular Continuous Professional Development (CPD) activities. Professionals who are in paid employment should be reminded that the positions with permanent and pensionable terms will continue to diminish as the World embraces the so-called global village. Professionals should be ready to learn, unlearn and relearn if that is the sacrifice to pay for upskilling.

Calvin Coolidge who was the 30th President of the United States from 1923 to 1929 said:

"Nothing in the world can take the place of Persistence. Persistence and Determination are omnipotent. The slogan "Press on" has solved and will always solve the problems of the human race."

If we subscribe to what Calvin Coolidge said, then the World will be a better place to live in since we shall all be doers.

THE PROFESSIONAL CENTRE
P.O. BOX 72643-00200
CITY SQUARE, NAIROBI

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WEBSITE: WWW.APSEA.OR.KE



THE KENYA PROFESSIONALS' DEVELOPMENT FUND



Eng. Ratna Hirani
Chairman KPDPF



Dr. Benjamin Musau Adovate
KPDPF BOT Lawyer



Nguru Muregi Wachira
KPDPF BOT Treasurer



Dr. Rose Patricia Oluoch
KPDPF BOT Secretary



CPA Sophie Moturi
KDPF BOT Member



FCS Rosemary W. Njogu
KPDPF BOT Member



Mr. Felix Owaga Okatch, EBS
KPDPF BOT Member

THE JOURNEY

The founding fathers of APSEA looked into opening doors for the future professionals in the Republic of Kenya. In this regard, the idea to establish a Scholarship Fund was born in 1964. The APSEA leadership met Mr. Humphrey Slade, the President of the Kenya National Fund who was a close partner of the Association and discussed the great importance to support the establishment of a scholarship fund to assist in further training of professionals. During their meeting, Mr. Slade confirmed his support for establishing a Trust Fund and proposed that the Fund be launched as soon as possible.

The Kenya National Fund offered the Association five thousand Pounds as a financial grant to kick start the programme. In the absence of an established Fund, members resolved to invest the money at interest and agreed to establish one as soon as possible. The proposed name of the Fund at that time was "Uhuru Scholarship Fund".

The Scholarship fund was to administer professional education to APSEA members by granting financial aid to worthy applicants who would otherwise get stagnated in their professional career growth. The financial assistance would be drawn from proceeds of interest earned from the invested capital.

The First trustees of the Fund appointed by APSEA were:-

- a. D. Duncan -President
- b. A.H. Guest -Vice President
- c. G. McCullough -Secretary
- d. Gerald. Harris -Member
- e. C.T. Henfrey -Member

The objects of the Scholarship Fund were;

- To provide financial assistance for young citizens of Kenya without distinction of sex or race who were desirous of becoming members or associates of any of the Professional societies which for the time being were members of the Association.
- To develop the Trust Fund into a nationally important and financially strong organization for the furtherance of Professional Education and Training in Kenya.
- To maintain active leadership.

On 15th July 1965, APSEA Council members were notified of the new name given to the Trust Deed which was "The Kenya National Scholarship Fund". On 20th January 1966, APSEA President confirmed that the Deed had been signed by all the parties concerned.

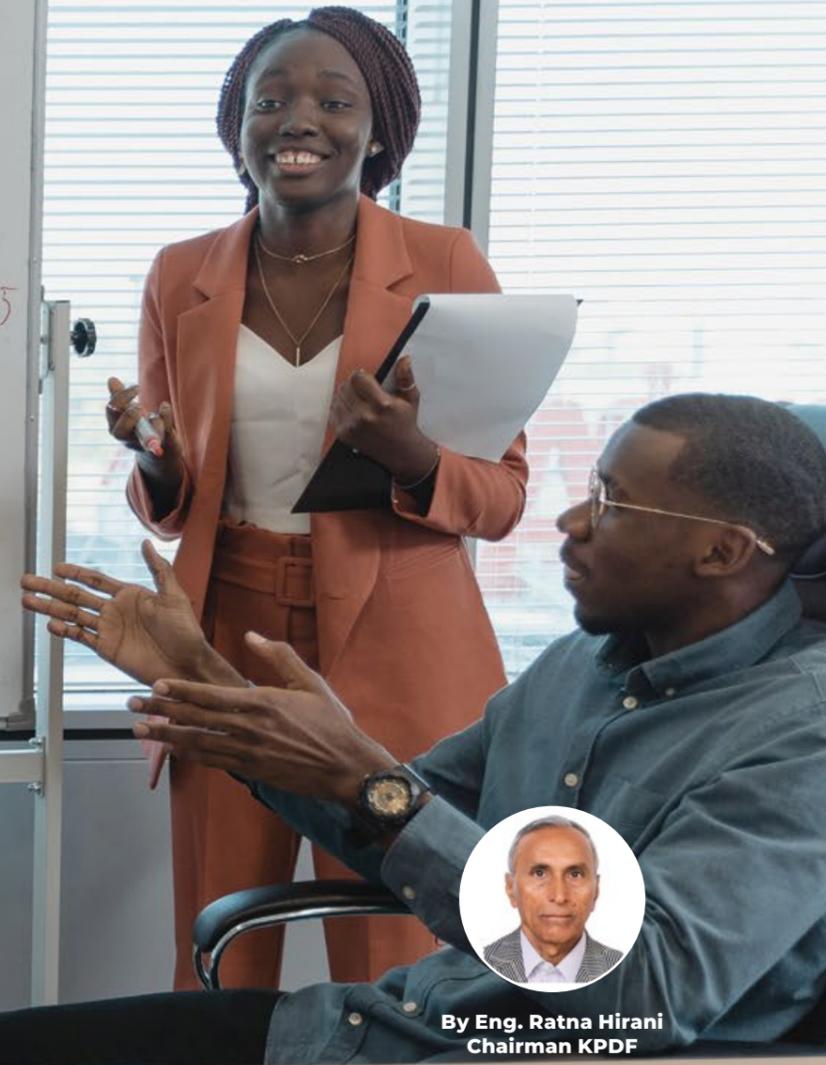
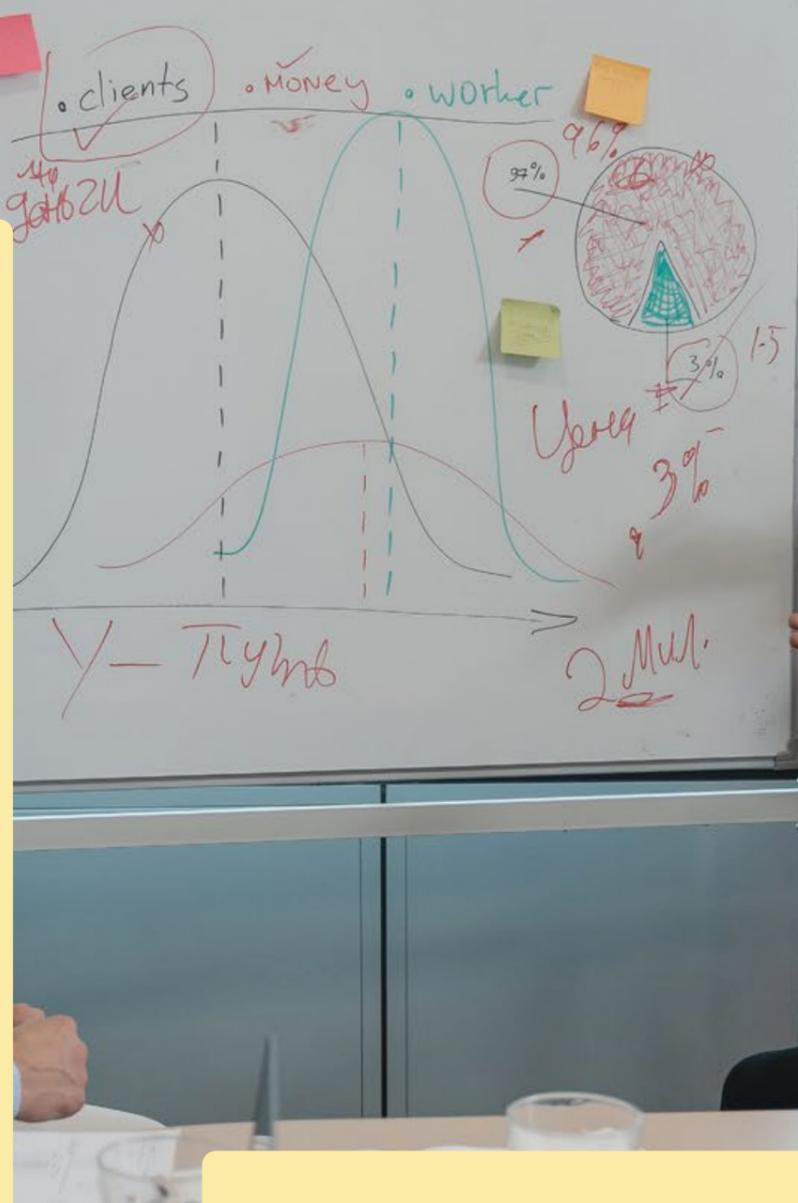
On 18th March 1970, during the APSEA Council meeting, it was reported that two members of the National Nurses profession have benefited from the Trust Fund and had obtained their qualifications. Further, in 1971, a member of the Radiographers Society was also sponsored to further his education overseas.

The Original Trust Deed was amended on 9th June 1973 under "The 1973 Amendment Trust Deed" as needs of the Founder and the Trust had changed over time. The Kenya Professionals Development Fund (KPDF) was developed under the declaration

of a Trust Deed signed on 3rd March 2004 through the Association Professional Societies in East Africa (APSEA). On 12th June 2015, Certificate of Incorporation was issued and registration was officially done on 18th May 2016 at the Ministry of Lands, Housing and Urban Development.

The Objectives of the Trust were amplified later to include; -

- To promote the growth and development of professional education training in Kenya and East Africa;
- To promote, encourage or otherwise support the adoption and application of best practices in Professional conduct standards and ethics;
- To support and provide funds for strengthening professional values, ethics, and integrity among professionals;
- To support the strengthening of professional disciplinary mechanisms and their enforcement;
- To support and undertake training and capacity-building activities as may be found appropriate from time to time;
- To Sponsor any activities, studies, undertaking, promotions and implementation of programs which help any of all the above activities.
- Establish a secretariat for the Fund
- Increase the investment portfolio.



By Eng. Ratna Hirani
Chairman KPDF

DEVELOPMENT AND LAUNCH OF 2020-2024 STRATEGIC PLAN

In the year 2020, KPDF launched its maiden Strategic Plan 2020-2024 to facilitate the Fund to achieve its original mandate as an Endowment Fund whose main mandate is to develop capacity of various professions in East Africa with the support of professional conscious partners.

CURRENT BOARD MEMBERS

Presently, the Fund is managed by seven Trustees led by the Chairman of the Board of Trustees. The Trustees spearhead the achievement of the Fund's 2020-2024 Strategic Plan. The seven (7) board members include;

- | | |
|----------------------------------|-----------------|
| a. Eng. Ratna Manji Hirani | -Chairman |
| b. Dr. Rose Patricia Oluoch | -Hon. Secretary |
| c. FCPA, Nguru Muregi Wachira | -Hon. Treasurer |
| d. Dr. Benjamin Munywoki Musau | -Legal Adviser |
| e. CPA. Sophie Njeri Moturi, MBS | -Board Member |
| f. Mr. Felix Okatch, EBS | -Board Member |
| g. FCS. Rosemary Wambui Njogu | -Board Member |

KENYA PROFESSIONALS DEVELOPMENT FUND ACHIEVEMENTS

- Registered and Incorporated the Trust Fund.
- Significant growth in the investment portfolio.
- Established a secretariat for the Fund.
- Over the years KPDF has sponsored and supported APSEA activities.
- Developed and launched their maiden 2020-2024 strategic plan.
- Developed a Board Charter to govern the Fund.

EXPERIENCE

I have been a member of the Board of Trustees of Kenya Professional Fund (KPDF) since 2004. For a number of years, the Fund had been dormant and the Board Members took it upon

themselves to enhance the Fund by investing prudently in portfolios with good returns.

When Dr. Daniel Weru Ichang'i became Chairman of APSEA he was concerned that the Fund Trustees should make all-out effort to collect funds loaned to APSEA to help them through their financial constraints. As Chairman of the Board I, with help of other Board members worked hard to get the loaned funds from APSEA. All these years I have thoroughly enjoyed working with Board Trustees who have always worked with zeal to safeguard and grow the funds over time.

ADVICE TO YOUNGER GENERATION

As the Fund is to benefit their career growth, the young upcoming professionals in the country should take keen interest in the growth of the fund so that it can serve the current as well as generations to come.



Corporate Governance.

The Value of Consistency and Predictability of Decisions by Board and Management



Mr. Felix Owaga Okatch, EBS
APSEA Chairman

In management decision making, there are many issues that come into play before a decision is made. There can be fixed and variable factors before a decision is arrived at. Like in statistics, to arrive at an average, management can oscillate from mean, median, mode and eventually end up at standard deviation and degree of confidence from a true average. This unpredictability demonstrates how real life situations cannot be determined with certainty. Yet this certainty is what a board intends to achieve in order to demonstrate consistency and predictability in decision making.

In good a organization, stakeholders and staff can predict how a decision would be arrived at. This happens when they know the board and management well. This further illustrates that in the case of a going concern one can predict an outcome of resolutions at board level and decisions at management level. This is achieved through synergized goal congruence and conformity to company strategy. Therefore, such a prediction falls within a normal standard deviation. Therefore a decision would be consistent and predictable.

But the real world has issues.

NOTE:

Views expressed herein are personal and have no bearing with any institution that I serve or consult for. This article is intended for academic purposes and any situation that turns out to be similar to a real situation must be noted as a coincidence.

Policy and management decision are not made in a vacuum. In most cases there are many competing interests and unpredictable exogenous factors. Let us start by defining consistency. According to Oxford Dictionary, the word consistency refers to “degree of firmness with which substance holds together. The degree of conformity with other earlier attributes, practice etc’, In other words predictability.

In good corporate governance, an organization needs to have policy guidelines and rules that determine actions and behavior. The policy and rules include modern management principles on standard likes ISO, regulation ratings, TQM and many more.

In a capital based organization, there needs to be instruments and policies on the rate of returns on investment, payback period on invested assets and reduction of expenses. These call for good management of liabilities and many other financial ratios for a going concern. All such when applied consistently would increase the chances of predictable outcome from a board and management decision.

At board and top management levels, decision are made against a background of PEST (Political ,Economic, Socials and Technology).This when drilled down to issues can sometimes get marred with many personal interests , individual egos, influences and many more.

Major multinationals and global corporate concerns like Coca-Cola, Samsung, Nokia, Toyota, BAT, Philip Morris etc have all been influenced by personalities. They consider hard economic facts but get more personal and some decisions are made based on other factors that are not economic. This therefore means that consistency is not easy to achieve. It is not as logical as statistical outcome. Yet in good management practice it is what the general public and stakeholders expect from an organization.

Experience has shown that there are instances where management have made certain decisions based on some circumstances ,however the reality is that if you change the aspect of time and place, the decisions arrived at would be different . In other words the variability of available facts, time, place and interest, would reduce the consistency and predictability of a decision. Decisions are therefore dependent on many factors, but consistency would make us predict possible outcome based on facts of a situation.

But in the real world, such inconsistency and unpredictability due to wrong information can make employees suffer a lot. This would be so in a situation where a decision to be taken is

that which threatens their work and employment status. For example an unpredictable manager makes employees live in fear and trepidation. In such organizations survival of an employee depends on insistence to receive instructions in writing and insistence on following every instruction in writing. Similarly, a CEO might also insist on getting every instruction from a board through writing or confirmed minutes of a full board meeting. This means lack of trust .This also concludes that in such a setting there is no synergy and trust to move forward and embrace change. In such a setting, it becomes difficult to introduce change.

In a good set up, consistency and predictability needs to be exhibited by a board of directors and top management. This means that the organization has good documented policies on operation, finance, marketing, human resources and many more. Therefore, the decisions so arrived at have a logical trail on genesis of action progression and eventually predictable outcome. This would encourage consistency in management cycles.

At corporate governance level, the degree of inconsistency and unpredictability are very dangerous for an organization .They make an organization deviate from vision and mission. They sometimes make the board and management unable to meet corporate strategy successfully, due to lack of trust.

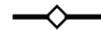
Inconsistency in decision making by board and management does reduce staff motivation. .Staff becomes less interested in taking any business risks, lest they commit minor errors which management can use to punish them unfairly. They fear to lose their jobs and benefits due to minor mistakes. In other words they become risk averse. The fear of being sacked or reprimanded increases the disease of procrastination. Procrastination can become an epidemic due to fear. At the end of it all, an organization will fail to meet its strategic objectives.

In conclusion, when there is no business risk then there is no impetus to achieve an organization's objective. An organization becomes dormant and suffers from the disease of procrastination. This disease can be epidemic and eventually endemic. Such a business concern suffers from what Shakespeare wrote in the play of Hamlet that “Procrastination is the thief of time”.

Therefore a good board and management must show the need and importance of Consistency and Predictability in their decisions. Stakeholders and staff should not view a company as erratic in its resolutions and decisions.

By Felix Okatch Okatch - Multilateral Trade expert

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Kenya Dental Association.



By Dr. Timothy Theuri

Introduction

The Kenya Dental Association started in the colonial era as the East African Dental Association. This was way back on the 27th of May 1960. The founding Chairman was Dr. Cedric M. Furnivall. It was to represent the interests of the dental profession in the greater East African Community under the British Protectorate.

On the 28th of November 1975, the association officially changed its name to the Kenya Dental Association under a gazette notice. The mission did not change however. The premise was still the promotion of dental discipline in Kenya. The organization's mandate was to act as the official welfare organ for all dentistry practitioners in Kenya. KDA currently has over 400 subscribed members drawn from its Branches across the country. The branches include the following:

1. Coast Branch
2. Western Branch
3. North Rift Branch
4. South Rift Branch
5. Mt. Kenya Branch

KDA is registered by the Registrar of Societies as a professional member's society and governed as per its constitution.

Constitutional Mandate

As a professional association, KDA no doubt needs to seek direction from its constitution. This is the basis of its operations and governance. From within its constitution, KDA's objectives are;

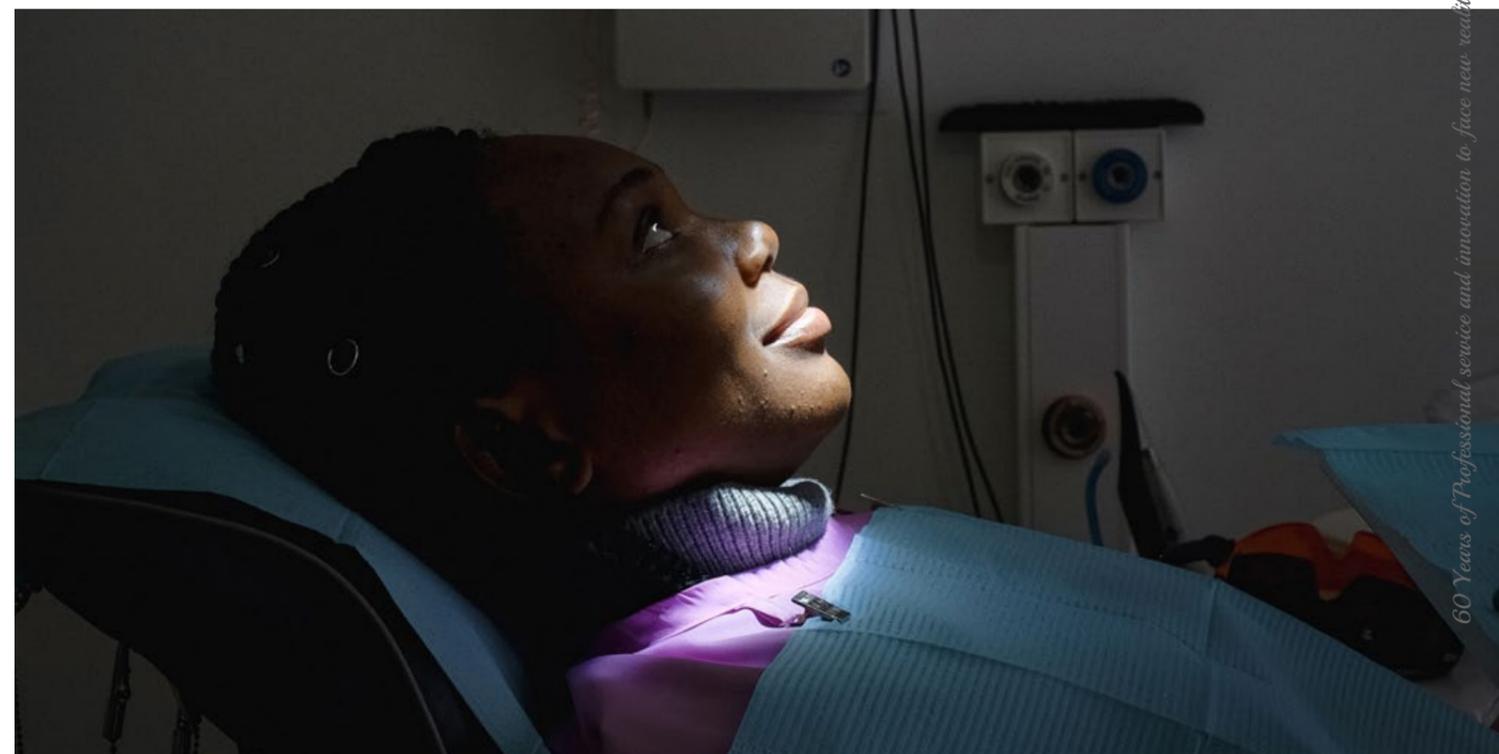
1. To maintain the honor of the dental profession.
2. To advance the science and practice of dentistry and its allied specialties in Kenya.
3. To promote and safeguard the interests of the dental profession and its members in Kenya.
4. To establish and maintain active branches countrywide.

The Organization seeks to achieve the foregoing objectives by:

- I. Periodical meetings of members of the dental profession.
- II. Publication of peer-reviewed scientific journals, articles, newsletters and other publications.
- III. Facilitate trainings by Holding CPDs, Annual scientific conferences, Oral health exhibitions and Symposia in collaboration with branches and other affiliates worldwide/regional organizations.
- IV. Cooperating with other professional organizations and fostering public interest in the profession.
- V. Taking any action deemed fit for the welfare of members of the association and the public oral health issues and programs.
- VI. Generally doing all such acts and things as may be expected for the attainment of any of the above objectives and play a leading role in the mentorship of students, interns and peers.

Vision

To be the leading organization in the development of the oral healthcare profession in Kenya



Mission
To promote the interest of oral healthcare professionals and the public in oral health matters and to set high standards of service delivery

Strategic Direction

The Kenya Dental Association is currently guided by the KDA Strategic Plan (2019-2023) 'Performing while Transforming'. This plan outlines the following 7 Priorities

1. Membership
2. Financial Stewardship
3. Governance and Leadership
4. Continuous Professional Education
5. Community Outreach and Oral Health Awareness
6. Advocacy of Quality Affordable Oral Healthcare
7. Promotion of Dentistry as a career

Leadership

The Kenya Dental Association is led by the following leaders at the National and Branch Levels

THE NATIONAL OFFICE

President	Dr. Timothy Theuri
Vice President	Dr. Kituku Mumo
Secretary General	Dr. Douglas Oramis
Honourable Treasurer	Dr. Thomas Munyao
Assistant Secretary	Dr. Arnold Malit
Assistant Honourable Treasurer	Dr. Elizabeth Bwibo
Immediate Former President	Dr. Linus Ndegwa
Council Member	Dr. David Mundi
Council Member	Dr. Peter Jackson Muriuki
Council Member	Dr. Teddie Matundura
Council Member	Dr. Mercy Branice Munyasa
Council Member	Dr. Nelson Malenya
Co-opted Council Member	Dr. Andrew Wetende
Co-opted Council Member	Dr. Anbar Ganatra

COAST BRANCH OFFICIALS

Dr. Luvay Hamid	Chairman
Dr. Syeda Rafa'a Hussain	Secretary
Dr. Fatema Latifali Amirali	Treasurer

NORTH RIFT BRANCH OFFICIALS

Dr. Lilian Apadet	Chairperson
Dr. Emily Cheriyyot	Secretary
Dr. Dennis Cheruiyot	Treasurer

SOUTH RIFT BRANCH OFFICIALS

Dr. Edward Kabubei	Chairman
Dr. Julius Nyoru	Secretary
Dr. Aisha Maina	Treasurer

WESTERN BRANCH OFFICIALS

Dr. Immaculate Opondo	Chairperson
Dr. Antony Ganda	Secretary
Dr. Stephen Wandei	Treasurer

Achievements

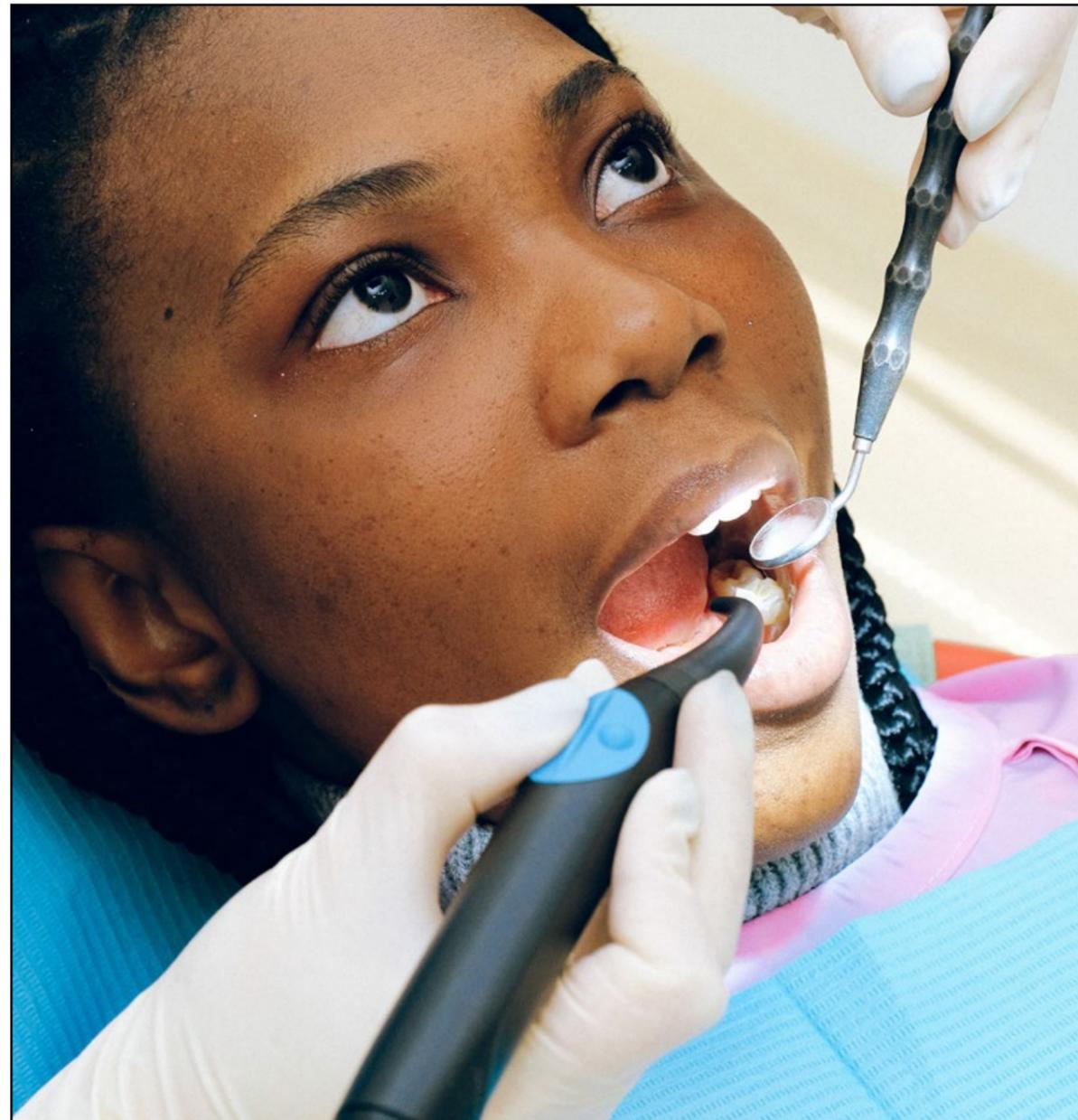
As a professional association that seeks to make itself better and more effective, the association has had a few milestones and achievements up its sleeves.

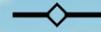
The following are some of the highlights

1. Re-Branding to the new Brand ethos of minimalism and a bright future as seen in its new Logo
2. The Odontologue Magazine-A first digital and print magazine for the association
3. Robust Outreach programs such as one of the most involving school programs in KUBFUS-Wrigley-Mars Project that saw over 20,000 pupils among Primary School Children in 5 counties
4. Revision of the Constitution to embrace the current climate and brace itself for a dynamic future as voted for in the 45th AGM
5. The Creation of a KDA Welfare Trust to drive the operations of the KDA Welfare agenda for its members

Future

It is a brave new world for the association as it must place itself on the path to a disruptive world full of potential and opportunities. It must find itself steady in a world run by data. It must embrace disruptive technological changes in the form of Tele-dentistry, Genetics and Artificial Intelligence. It must understand its obligations in saving the environment. It must be at the forefront of the exploration of newer and better Dental Biomaterials. It must steer well-intentioned research agenda in the field of Dentistry. Most importantly it must be attuned to the demands and place of Preventive Dentistry in the era of Universal Health Coverage.





+ Evolution of Construction Site Supervision.



By Leonid Ashindu
Honorary Assistant Treasurer
APSEA.
lashindu@gmail.com

+ overview

Professionalism in the construction industry demands a high degree of professional conscience from players in the construction industry. Over the past 60 years, "personal ethics" have been important aspect of ethics in the construction industry. Today building & construction professionals gain integrity and respectability to a great extent through regulatory and professional bodies. These bodies have codes of practices which define roles and responsibilities of a professional. Codes are enforced by regulators who ensure that all players adhere to ethical conduct. NCA being a regulator of contractors has developed codes of conduct for the construction industry.

Evolution of Construction Site Supervision for The Last 60 Years

The construction industry in the last 60 years has been going through unprecedented cultural shift transformation to adopt more digital ways of working to face new realities. Many companies have begun to implement digital tools and processes that align to Building Information Modelling (BIM).

Poor productivity of construction craftsmen is one of the causes of cost and time overruns in construction process. Construction has evolved and undergone different trends over time, marked by a few principles: Durability of the materials used, increase in building height and span, the degree of site supervision exercised, and finally the mode of technology available for the construction process.

For the purpose of this article, supervision has been considered a management function performed by one or more individuals. It involves controlling, influencing, and leading a team and includes activities such as directing the work of others, allocating workload, planning and scheduling tasks, instructing and monitoring actions. Under construction site, supervision is generally the management and supervision of a construction site in accordance with health and safety guidelines.

For the past years, virtual supervision has improved construction site supervision model. While technology and construction have progressed rapidly in the recent years, allowing structures to be built taller, remnants of colossal ancient monuments remind us that construction technique as long as 60 years ago had numerous merits.

Construction Site Supervision

Construction site supervision is a primary role for companies in the building and construction sector. They manage, control, coordinate and plan building projects making them a key player in ensuring the successful completion of construction works.

Importance of Site Supervision

Supervision is important to ensure that the structures or works being executed are constructed according to design, specification, and code requirements as well as acceptable practice.

Key players in site supervision

1. Supervisor
2. Construction workers
3. Site inspectors

A construction project is typically segmented into five phases namely

- Conception
- Design
- Pre-construction
- Construction
- Post construction



Each of the above stages must be properly executed during site supervision to establish the strategic framework for the project and to guarantee overall success of the venture.

1. Conception.

At this stage a prospective homeowner comes up with the idea of building a home. He/she embarks on a mission to research on the location, and the type of the house to be constructed.

2. Design

Once the project has been conceptualized, the owner now moves to design the house. It involves sitting down with an architect to discuss the project. There are four steps followed in design stage: programming and feasibility, schematic design, design development and contract documents.

3. Pre-construction

It involves putting together a project team that includes contract administrator, project manager, supervisor, field engineer, health and safety manager. The project team in close

cooperation with the contractor moves to the field to perform a site inspection. Afterwards, all the plans and findings are forwarded to the local authorities for approval.

4. Construction stage

Just before construction begins, a pre-construction meeting is conducted to ensure that any contentious issues are resolved. After the meeting is concluded and after the issues are ironed out the project team can now move on the site to embark on the actual construction journey.

5. Post-construction

When all the work on the site has been completed, first an inspection of the whole building must be done to ensure everything was done according to the plan. Once the inspection team is satisfied, the owner can now take over the building.

The history of construction is as old as the history of humanity. From mud huts to megalithic stones to mega highways and skyscrapers the evolution of construction reflects mankind's ever-growing mastery of raw materials and technology.

Digital transformation in construction is picking up, and will play a critical role in solving sustainability and other persistent challenges in the industry. Construction firms are adopting technology to improve efficiency, reduce risk, and make data-driven decisions, challenges that became even more acute during the pandemic as illustrated in the following key area during construction site supervision:



The writer with members of a construction team conducting an inspection

1. INDUSTRY REGULATORS

In Kenya, the construction industry is regulated by the National Construction Authority (NCA) and the County Government. The NCA is established under Act No. 41 of 2011 Laws of Kenya. NCA's mandate is to

- Regulate,
- Streamline
- Build capacity in the construction industry.
- The NCA also registers and regulates the performance of local and foreign contractors and accredits skilled construction workers and site supervisors.

It has segregated construction firms into categories based on the contract value they are allowed to undertake as well as the academic requirements for the owners of the companies.

Regulation of building construction in Kenya is done through a statutory authority known as the National Construction Authority (NCA),

- Whose function is to establish and oversee the construction industry and coordinate its development
- The NCA is mandated to encourage the standardization and improvement of

construction techniques and materials, provide, promote, review and co-ordinate training programs for skilled construction workers and construction site supervisors, accredit and register contractors and regulate their professional undertakings, accredit and certify skilled construction workers and construction site supervisors, develop and publish a code of conduct for the construction industry.

A site supervisor is accredited in accordance with the Act in one or more of the classes of works. Eligibility of accreditation of site supervisors is based on:

- If a person possesses the qualifications set by the Authority for the class of contract works set out by the Third Schedule of the Act.
- Has otherwise satisfied the Authority that he possesses such practical experience so as to render him competent.
- Has successfully undergone such skills assessment as the Authority may conduct for this process.

While the county government:

- Prohibits or control the use of development of land and buildings,
- Controls subdivision of land and ensures proper execution and implementation of approved development plans.
- Collects relevant levies and taxes from construction funds.

2. PROFESSIONAL REGULATORS

In Kenya, the construction industry is regulated by various other parastatals in addition to the NCA. These institutions are mandated to manage, develop, rehabilitate and maintain public roads, develop and maintain public buildings as well as residential houses. These professional regulators include: Board of Registration of Architects and Quality Surveyors (BORAQS), Kenya Engineering Technology Board (KETRB), Engineers Board of Kenya (EBK).

3. PROFESSIONAL SOCIETIES.

These include Institution of Surveyors in Kenya (ISK), Architectural Association of Kenya (AAK), Interior Designers Association Kenya (IDA), Kenya Association of Manufacturers (KAM), Roads and Civil Engineering Contractors Association (RCECA), Association of Construction Managers in Kenya (ACMK), Kenya Association of Building and Engineering Consultants. Institute of Engineering Technologists (IET), Institute of Clerks of Works of Kenya (ICWK).

By simple definition Clerk of Works is the client's representation on site working under the directions of an Architect. The clerk of works is engaged to ensure that the client gets value for his money.

4. ENVIRONMENT SAFETY AND HEALTH

New technologies are constantly changing the construction landscape. Drones now make it possible to survey and map a site with ease, and at a lower cost. Smartphones and tablets make on-the-go communication a breeze. Digital blueprint apps and other software make it possible to map out a project ahead of time like never before. Even the use of robots seems to be on the horizon.

i. Safety Equipment.

A variety of new technologies are helping to improve safety and health conditions on worksites. Advanced versions of traditional gear, including headsets, safety glasses, and

clothing, are now being made even safer, thanks to improved designs and materials. They are helping to make safety and health regulations, which may have previously been overlooked more often, a part of standard procedures.

More advanced technologies like drone and stationary cameras are also helping to improve safety. They not only help to monitor conditions on the worksite from new angles that would have previously been difficult to reach, but they can also help to prevent theft and security breaches.

ii. Personal Protective Equipment (PPE)

While personal protective equipment (PPE) is far less technologically advanced than the other entries in this list, there is no doubt it has contributed to revolutionizing the construction industry over the last 60 years in terms of health and safety.

No matter how hard construction companies work to keep their employees safe, construction sites remain inherently hazardous environments. The various heavy machinery and equipment, power tools, countless workers, and structures usually pose life-threatening challenges that both the site workers and the stakeholders in the construction industry must deal with to enhance construction safety.

iii. Hard hats that detect carbon monoxide

A typical construction site is a place where anything can happen anytime, and even the safest job sites tend to harbor lots of unseen dangers. The innovation of hard hats that are fitted with carbon monoxide sensors has made job sites safer for the employees. With these types of hats, construction site workers can know in advance if a certain area is unsafe and take the necessary steps to correct the situation before someone is hurt.

iv. Smart Wearables.

Smart wearables can prove to be invaluable for construction site employees who are conducting hazardous tasks since the

environment is carefully tracked and monitored. These wearables can detect signs of danger such as lack of movement, gas, and heat. co-workers and contractors can be automatically alerted if a problem is detected.

These wearables are usually designed as a safety vest and a hard hat that integrates GPS, sensors, real-time locating systems and wearable computers. The vest could have a kinetic charger while the hard hat could have a solar charger to power them. The smart clothing can also monitor vital signs such as skin temperature, heart rate, and respiration rate.

5. SITE ORGANIZATION AND MANAGEMENT

Site organization and management is an essential part in construction which cannot be over-emphasized. Site organization in construction requires detailed planning before and during the construction process.

Many companies today are complex systems that require more than ad hoc design and management. Through innovation some of the effective site organization and management involves:

- Minimizing hazards for workers and visitors
- Barrier control
- Risk minimization.
- Effective site communication
- Construction efficiency

6. USE OF TECHNOLOGY IN SITE SUPERVISION

Technology has made construction sites safer and workers more efficient. It has allowed us to increase productivity, improve collaboration and tackle more complex projects as discussed below:

- **Site sensors**

Several companies have also developed site sensors that can monitor various aspects of the construction site such as noise levels, temperature and the volatile organic compounds to help protect the workers. These smart site sensors are usually mounted throughout the construction site and can alert the employees promptly whenever there is a significant risk.

- **Drones**

Drones can be used to quickly conduct jobsite inspections and identify potential hazards each day. They can also be used to monitor workers throughout the day to ensure everyone is working safely. Drones are being used to take photos of work progress to create built models of jobsites to keep everyone informed of the changing work conditions each day.

- **BIM (Building Information Modelling)**

This is a process that incorporates digital representations of buildings in 3D models to facilitate better collaboration among all stakeholders on a project.

- **Computer Aided Design (CAD)**

Computer-Aided Design, or CAD, now allows contractors to start a job even before the plan is completed. This allows for construction projects to begin faster, and of course, to get finished faster. The CAD system looks at possible issues that may arise, to help reduce errors, and can help to reduce errors, which means less time spent off-schedule and a reduced risk of going off-budget

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Written By **Leonid Ashindu**
– The writer is a distinguished Clerk of Works

25 Years of Public Policy Excellence



About KIPPRA

- The Kenya Institute for Public Policy Research and Analysis (KIPPRA) is a State Corporation established by an Act of Parliament, No. 15 2006
- KIPPRA is under the State Department for Economic Planning, The National Treasury and Economic Planning

Our Vision and Mission

Vision: An international centre of excellence in public policy research and analysis

Mission: To provide quality public policy advice to the Government of Kenya by conducting objective research and analysis and through capacity building in order to contribute to the achievement of national development goals.

KIPPRA Mandate

- KIPPRA was established to develop human and institutional capacities which shall, by undertaking economic forecasting, policy analysis and research, contribute to the formulation of medium and long-term strategic perspective for the economic and social development of Kenya.
- The Institute does this through:
 1. Capacity building

2. Policy research and analysis
3. Networking and engagement

1. Capacity Building

One of the key functions of the Institute is to develop capacities in public policy research and analysis and to assist the Government in the process of policy formulation and implementation. The capacity building programmes are:

- a. The Young Professionals Programme:** The one-year programme targets young professionals aged below 35 years with masters degrees in various fields.
- b. KIPPRA Mentorship Programme for Universities (KMPUs):** It aims to bridge the divide between government agenda and university research.
- c. Commercialized Programmes:** They target national and county government officers as well as non-governmental and private institutions. They include:
 - Public policy making process (PPMP)
 - Creating an enabling environment for private sector (CEEPs)
 - Governance structures in a devolved system of government (GSDSG)
 - Macroeconomic modelling and forecasting (MMF)
 - Applied policy research methods (APRM)

- Tools for policy analysis (TPA)
- Monitoring and evaluation (M&E)
- Mainstreaming Planning and Budgeting for Children, Youth, Women & Persons with Disability and Agriculture

Most of the commercialized programmes run for two weeks. One can obtain more information from the KIPPRA website or by sending an email to: capacitybuilding@kippra.or.ke

2. Policy Research and Analysis

The KIPPRA ACT mandates the Institute to identify and undertake independent and objective programmes of research and analysis. The policy research and analysis focus on three areas:

i. Thematic research

- This includes public policy research in macroeconomic issues and modelling; social welfare and human capital development; agriculture, environment and natural resources; trade and foreign policy; infrastructure; private sector development; and governance.
- Outputs include market analysis report, policy monitor, blogs and media articles, e-newsletter, discussion papers, working papers and policy briefs.

ii. Inter-disciplinary

- Policy research and analysis theme cuts across various emerging sectoral issues
- Annual Kenya Economic Report
- KIPPRA-Wide Survey outputs, which are disseminated through the KIPPRA Annual Regional Conference

iii. Demand-driven research

- This research and policy analysis is based on requests from stakeholders in both public and private sectors
- Output is in form of client reports

3. Engagement and Networking

The forums include:

- KIPPRA Annual Regional Conference
- Annual Think tanks symposiums
- Technical and advisory services to the Government
- Workshops and policy seminars
- KIPPRA Public Policy Repository (<https://repository.kippra.or.ke/>)

Achievements and Milestones

- 1997: The Legal Notice of 9th May 1997 established KIPPRA
- 2000: KIPPRA-Treasury Macroeconomic Model (KTMM) was piloted
- 2003: First cohort of KIPPRA Young Professionals Programme admitted
- 2007: KIPPRA Act No.15 of 2006 came to effect
- 2009: First Kenya Economic Report launched
- Since 2015: KIPPRA ranked top think tank in Sub-Saharan Africa
- 2018: First KIPPRA-Wide Survey and Annual Regional Conference
- 2019: First Kenya Think Tanks Symposium hosted by KIPPRA
- 2021: KIPPRA launched the Public Policy Repository





Background of IEK

IEK members are drawn from practicing engineers working in various government institutions (both national and county), private sector, consultancies, contractors, educators, designers, manufacturers and other persons interested in engineering.



By Eng. Eric Ohaga

The East African Association of Engineers (EAAE), which was the precursor to The Institution of Engineers of Kenya (IEK), was formed in 1945 as a professional body, independent of control by governments and with membership spread in the original East African Community (EAC) i.e. Kenya, Uganda, and Tanzania. In 1959 it was decided that the term 'Association' no longer reflected the aims and objectives of a professional body of engineers and it was resolved that the title should henceforth change to East African Institution of Engineers (EAIE). The breakup of the EAC resulted in the splitting of most of the professional bodies, among them the EAIE. IEK was then born and registered as a professional and independent body in 1972.

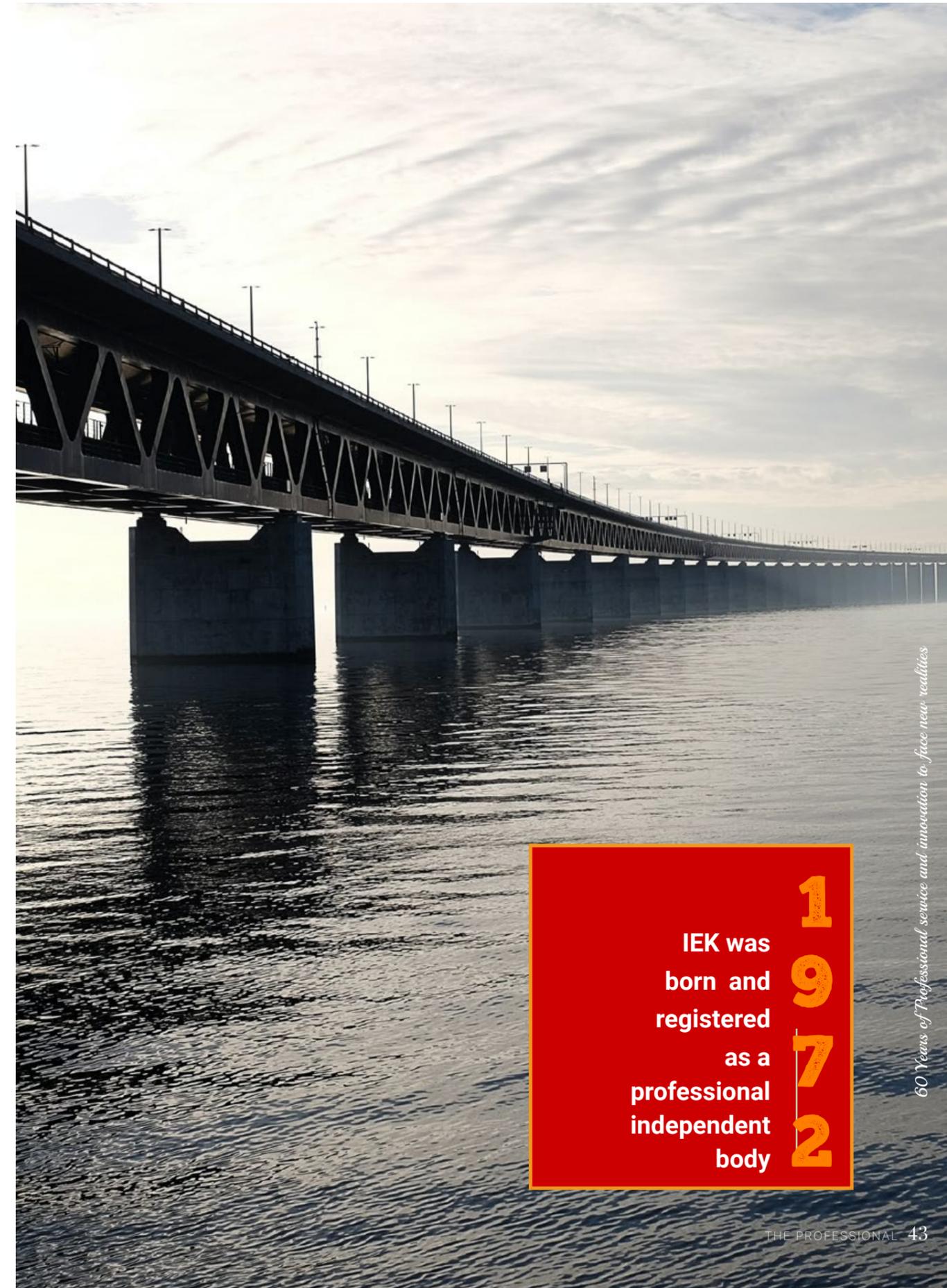
The Institution of Engineers of Kenya (IEK) is the learned society of the engineering profession and co-operates with national and other international institutions in developing and applying engineering to the benefit of humanity. It is led by a Council elected by members, which serves a two-year term. The Council is the principal governing body of IEK and exercises general oversight over the institution and its affairs. The Council operates through various sub-committees: some permanent and others ad-hoc. The Council runs the affairs of the institution through a Secretariat. The CEO, who is the head of the Secretariat, reports directly to the Council.

IEK members are drawn from practicing engineers working in various government institutions (both national and county), private sector, consultancies, contractors, educators, designers, manufacturers and other persons interested in engineering.

The Objectives of Institution of Engineers of Kenya (IEK)

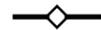
The strategic objectives under the previous strategic plan were as follows:

1. Promote Training and Development of Engineers,
2. Promote Professional Engineering Practice, Standards and Ethics
3. Strengthen institutional capacity of IEK
4. Promote the Status, Rights and Welfare of Engineers
5. Build Local capacity in the Engineering Industry
6. Enhance the image and reputation of the Institution
7. Promote culture of creativity, innovation and application of research findings



IEK was
born and
registered
as a
professional
independent
body

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2



STRATEGIC LITIGATION

and Movement Building to Advance Women Mobility Rights in Kenya



By Winfred Odali

Advocate of the High Court of Kenya & Strategic Litigation Advocate
at the Centre for Rights Education and Awareness (CREAW)

Socio-economic context

On 7th March 2022, a video went viral on social media of a woman later identified as a Zimbabwean diplomat being sexually assaulted by numerous boda boda riders in her car. Her chilling screams for help went unattended as the assault continued. The viral video caused a public outcry as President Uhuru Kenyatta called for a nationwide crackdown on the riders to restore sanity to the public transport sector. Sixteen bodaboda riders were arrested and arraigned in court following this incident. However, the presiding court released the suspects under Section 87(a) of the Criminal Procedure Code after the prosecution counsel from the Office of the Director of Public Prosecutions stated that there was insufficient evidence to sustain the case.

This was not an isolated case. In 2014, a woman was assaulted and stripped by matatu touts because she was wearing a miniskirt. This led to a campaign by women's rights champions dubbed #MyDressMyChoice which was aimed at protesting against gender-based violence against women in public transport and associated spaces. It also addressed and challenged the patriarchal stereotypes and myths in the society which demeaned women and made them inferior to men. The rigorous demonstrations led to President Kenyatta assenting to an amendment to the Penal Code which created the offence of stripping a person.

There are many more cases of women who have been violated in public transport and associated spaces but have never received any



remedy. Where cases attract attention of the general public, the government usually takes reactionary measures which quell the public outcry in the interim but unfortunately do not cure the problem. Despite the high rate of gender-based violence in these spaces, Kenya is yet to adopt prevention measures that are specifically designed to address women mobility rights.

Statistics

According to the June 2021 Rapid Assessment Report published by Generation Equality, sexual harassment incidents are prevalent in the Kenyan's public transport sector with 87.5% of commuters under study having either witnessed or experienced sexual harassment. The most common type of sexual harassment that occurs in public transport spaces is verbal abuse. The findings show that 41.67% of the respondents have either witnessed or experienced sexual harassment and they majorly occur in public service vehicles. Only 11.8% of the commuters are confident they are not likely to encounter/witness any instance of sexual harassment/abuse.

Machakos County Government has recently passed a sexual and gender-based violence policy in public transport systems and associated spaces. This is the first policy of its kind in Kenya and was drafted by Flone Initiative in a bid to promote women mobility rights. This proves that it is possible for the national government to prevent gender-based violence in the public transport system and associated spaces by enacting a gender-specific policy.

International, regional and domestic laws and standards

International, regional and domestic laws and standards provide for women mobility rights. The Committee on the Elimination of Discrimination against Women, General Recommendation 35 of 2017 in Paragraph 15 states that women's right to a life free from gender-based violence is indivisible from and interdependent on other human rights including the right to freedom of movement. Women have a right to move freely and use public transport and associated spaces without being subjected to any form of violence.

This legal standard acknowledges that gender-based violence against women occurs in all spaces and spheres of human interaction, whether public or private, including in the contexts of public spaces



It is important for stakeholders to have concerted efforts towards ensuring that the State establishes a robust legal framework to address the right of women to be free from violence in public transport and associated spaces.

such as the public transport system and associated spaces. It provides that state parties are responsible for preventing such acts or omissions by their own organs and agents including through the adoption, implementation and monitoring of legal provisions, administrative regulations and code of conduct, and for investigating, prosecuting and applying appropriate legal or disciplinary sanctions, as well as providing reparation. Therefore, where a state fails to fulfil their due diligence obligation to prevent gender-based violence in the public transport system and associated spaces, it ought to be held accountable.

Collaboration and movement building

It is important for stakeholders to have concerted efforts towards ensuring that the State establishes a robust legal framework to address the right of

women to be free from violence in public transport and associated spaces. Many women’s rights organizations fail to achieve their desired impact due to working in silos. Stakeholders need to understand that in order to make gains in promotion of women mobility rights in Kenya, collaborations, partnerships and movement building are key.

Due to this realization, the Initiative for Strategic Litigation in Africa (ISLA) established the Feminist Litigation Network (FLN) which brings together women lawyers and organizations across Africa. The purpose of this network is to create a movement that can have a shared voice on women’s rights issues in the region. The Centre for Rights Education and Awareness (CREAW) is privileged to be part of the FLN. One of the efforts that ISLA and CREAW in partnership have undertaken is to engage in strategic litigation in cases which seek to underpin the due diligence obligation of the state in preventing violence against women in public transport and associated spaces by enacting laws and policies.

Strategic litigation to advance women mobility rights

Strategic litigation also known as litigation for social change is the careful selection and litigation of cases with the aim of achieving a wider social impact beyond the needs of an individual litigant. Strategic litigation entails client selection, case development, research and litigation before a court of competent jurisdiction. Since such a case would have widespread

repercussion, it is important for a lawyer to apply the SNIF test, an acronym for skill, need, impact and funding, in the case selection. This criterion ensures that any case selected to advance women mobility rights will have the ability to carry the crux of the matter through the lifetime of the case, including post-judgment advocacy.

In order to achieve the desired impact, strategic litigation goes beyond the courtroom using strategies such as advocacy, communication, collaboration, research and publication among others. These strategies, which run concurrently with litigation, are meant to elicit conversation and amplify women’s voices in various public spheres so as to unpack the elements of women mobility rights and the due diligence obligation of the state to prevent gender based violence in public transport. Out of court advocacy also enables human rights champions to debunk patriarchal myths and stereotypes that are deeply entrenched in the society on the role of women.

Conclusion

In conclusion, it is clear that emerging realities in the society require innovative and novel solutions so as to ensure that the law is not rendered obsolete and toothless to curb the challenges arising. Stakeholders in the public transport system need to come together and build on each other’s initiatives in order to finally achieve a violence-free public transport sector.





Olayo Julius Ochieng, PhD, CHRP-K
Certified HR Practitioner & Lawyer

Multiple CAREERS

AMONG INDUSTRY PRACTITIONERS

Abstract

Purpose: The aim of this research was to investigate whether Human Resource Directors are ready to align employees with multiple careers for productivity.

Methodology

This paper reports on an exploratory investigation. Such a study is conducted in a subject that has limited studies carried on it or around a problem that is not yet clearly defined.

Results:

The paper found that multiple career employees have certain transferable set of skills that can be useful to an organization.

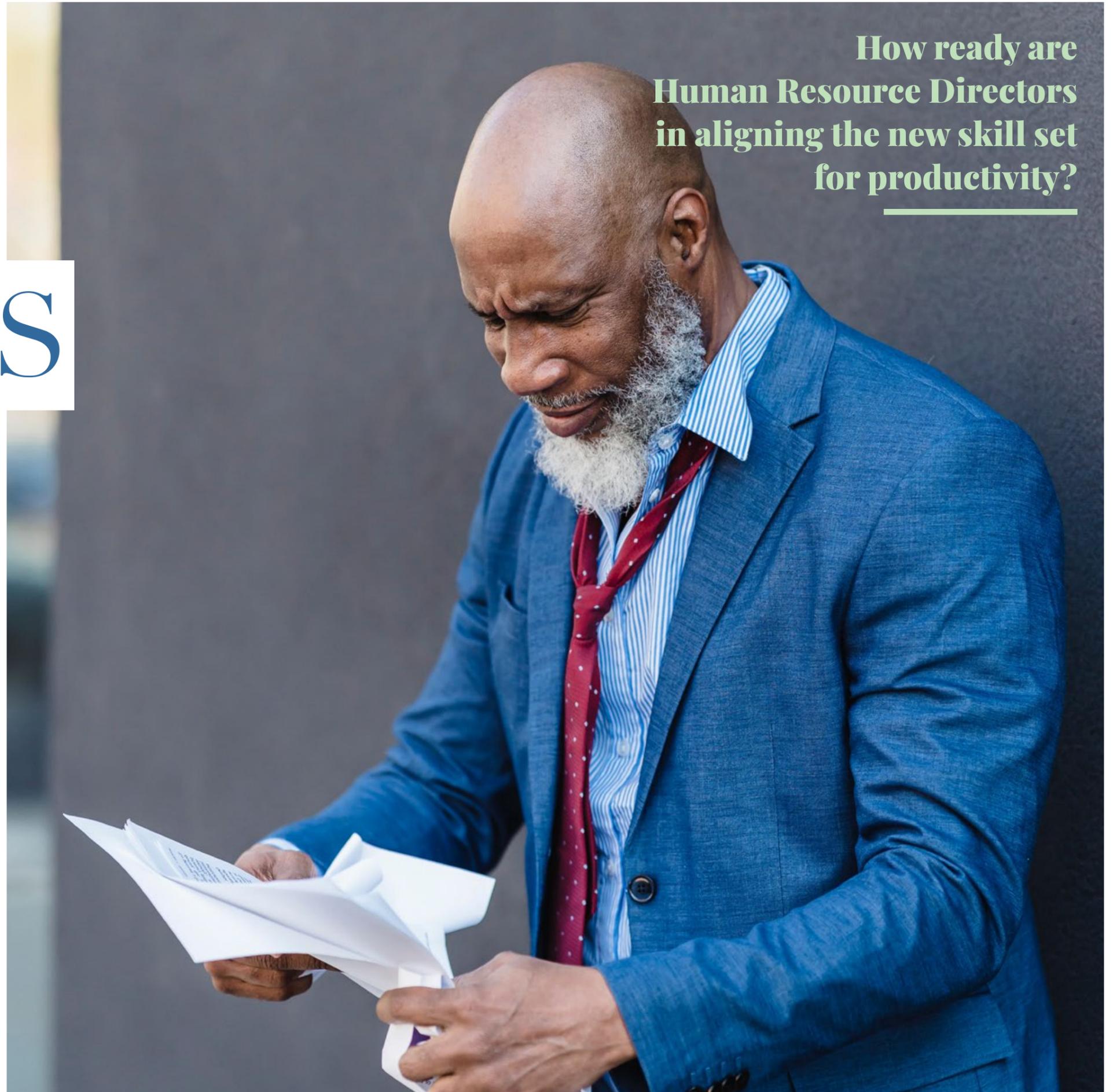
Unique contribution to theory

practice and policy: The paper recommends organizations to align their policy framework on career development in the eyes on intelligent career theory. The policy should be keen on identifying values and motivations for changing careers. Finally, there is need for further research as this will be of practical use to organizations and HR directors

Key Words

Multiple careers, skills, productivity.

How ready are
Human Resource Directors
in aligning the new skill set
for productivity?



Background.

A research conducted in North America showed that people moved jobs five to six times during their working lives and made two to three major career changes. The same has been evident in the far east. Since the world is more connected than ever, the situation is more or less similar globally. According to the International Labor Organization (ILO), an agency of the United Nations Organization, the world of work is rapidly changing. Traditionally, professionals tended to work full-time and were encouraged to stay with their employer through pay and pensions. Employees were further convinced through the employer's continued investment in training and development. This made employees only option is to change their employer and not the career.

However, with the rapid changes as cited by the ILO, it is evident that the labor market is becoming much less predictable. Careers now are characterized by breaks and returning to school for additional education or skill development. ILO attributes the evolving nature of work to demographic transition, environmental change and globalization.

As a result of the changes, workers are now pursuing multiple careers. This is where as an adult, the worker experiences two or more training in different fields. Having Multiple careers have been argued to have the effect of reducing employee boredom, ease of adapting to new labor market demands, and creating new opportunities that address mental health and longer health expectancy. Normally, a worker starts by having a profession at their early age, and this is followed by more than twenty years in the field. Afterwards the worker moves on to pursue a new profession.

Some scholars have argued that the idea of multiple careers is based on labor shortage. This has left workers with a choice of jobs and the need to pursue new skills. Others have attributed the rise in multiple careers to the advancement in medical science and technology in health sector. Medical science and technology have been advancing each year, resulting in healthier, longer lifespans, and better medical treatment options. Reports indicate that the average life expectancy has increased from 45 years in 1850 to almost 80 years in recent years, as a result of medical progress. Hence, with increasing life expectancy, a future with multiple careers, interspersed with periods of education or retraining is inevitable.

As this situation keeps on rising, organization are now faced with a multi-skilled human capital. The employees are now retrained in new fields in later stage of their profession. This development demands an interrogation of whether the heads of human resource in organizations are well prepared in aligning the newly acquired skills by the employees for productivity.

Literature on existence of multiple careers is limited. Moreover, there is none that addresses how Human Resource Directors (HRD) are aligning the new skills for productivity in the organization. Addressing this challenge will give organizations an insight to adjust their policy and strategic plans, and thus improving productivity and as well as contributing to a more nuanced understanding of current trends in labor market. The aim of this research was to investigate whether HRD are ready to align employees with multiple skills for productivity.



Methodology:

This paper reports on an exploratory investigation of whether the HRD are capable of aligning the newly acquired skills for productivity. An entry into a new profession may be seen as a plus to the existing expertise. However, evidence on the subject and its impact on productivity is limited. This has informed the choice of the methodology applied. Exploratory research is conducted in a subject that has limited studies carried on it. It is the initial research conducted around a problem that is not yet clearly defined. Exploratory research therefore aims to better understand the precise nature of the problem rather than to provide a conclusive answer to the problem itself.

Findings and Discussions.

The Emergence of Multiple Career Concept.

The concept multiple careers started gaining prominence in late twenty century and early twenty first century. Multiple careers generally mean having several professions during one's life time. There are three main forms of this concept.

The first is multiple concurrent careers, also known as portfolio career or slash career or hyphenated career, is where an individual with two or more careers pursues them in different days, weeks, months or season. The second is referred to as multiple consecutive career. This is where an individual pursues different careers at different stages of life. For instance, where an individual pursues a career in Human resource management at their early age, and on later years pursue a new career in law. This trend can be occasioned by early planning by a person or change in interest and life circumstance. The third category is a combination of concurrent and consecutive careers. The traditional

career path that was a single tracked path has now been challenged by the new model.

Analysis of Multiple Career Model.

Career has been broadly understood as the evolving sequence of a person's experiences on a subject over time. Multiple career is a modern approach to career. Parker et al conducted a study where they examined how separate behavioral science disciplines can be brought together to enable a thorough understanding of the undercurrents of modern careers. The scholars used an interdisciplinary approach, popularly known as "intelligent career theory", to inquire how different fields relate to each other. This paper adopted the approach to realize its objective.

DeFillippi and Arthur were the developers of Intelligent Career Theory. However, Quinn's ideas on "intelligent enterprise" influenced the adoption of the theory. According to Quinn, the market valuation of a company was mainly determined by knowledge asset instead of physical assets. The theory takes same approach to an individual career investment. Intelligent career theory views career as a dynamic process involving three types of knowledge; knowing why, knowing how and knowing who.

Knowing-why entails understanding the reasons for working. It identifies the motivations, values and meaning a person has attached to work. It also includes individuals' attitude about family and community, and how it impacts one's career. Teixeira et al conducted a study on career change among professionals. The researchers interviewed seven respondents of age thirty-two to forty-two who had experienced at least one career change in their lives. The data were analyzed using the systematic and systemic reflexivity proposed by the phenomenological tradition;

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Knowing-how involves an individual's range of skills and expertise. Changing a career demands acquiring new set of skills.

description, reduction and interpretation. The results underscored the need for a career guidance practice that pays attention not only to career information, but also to reflection on individual and work-related values. The researchers believe that this approach will help an individual to clearly see their goals and plan their career path. By identifying the need for career guidance, the study recognizes that HRD need to place employee's professional development at the heart of the company policy. Failure to recognize this leads to the risk of undermining the morale and productivity of employees.

Knowing-how involves an individual's range of skills and expertise. Changing a career demands acquiring new set of skills. However, such persons find ways in which they can transfer their existing skills to the new profession. Reich et al conducted a study in an organization where more than seventy Information Technology (IT) professionals permanently changed their careers to non-IT field. The study found that employees believed that their IT skills would be useful in their new profession. Further, the study found that the change was motivated by the new challenges that emerged from applying the IT skills to the new profession. This study shows that every career has some transferrable skills that can be maximized and leveraged on the new profession for productivity. According to McMahon et al certain skills such as learning, life management, and communication skills are transferable across life and work contexts.

Knowing-who entails one's professional relationship and social network. According to Higgins, the greater the diversity and social support, the greater the chances of changing a career. Knowing-who can either be a hindrance or a help in making a career change. According to Reich and Kaarst-Brown in an earlier mentioned study, they found that seventy-five percent of the IT professionals who changed to business profession pointed that informal mentors assisted them to adjust to their new career. This shows the impact of social network on career changers. HRD establish professional relationship with employees. Since it is established that there are certain transferable skills and expertise, they can therefore become an asset in aligning the employees with new skills in the organization, and at the end ensure better productivity and performance.

Conclusion and Recommendation.

This study lays a starting ground for a large sample, factor-based research into ways in which HRD can utilize multiple career employees for better productivity. This is because the study through an exploratory approach has found that multiple career employees have certain transferable set of skills that can be useful to an organization. Thus, the paper recommends organizations to align their policy framework on career development in the eyes on intelligent career theory. The policy should be keen on identifying values and motivations for changing careers. Finally, there is need for further research as this will be of practical use to organizations and HR directors.

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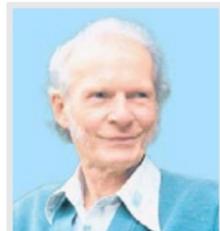
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Kenya Medical Association (KMA).

I was fortunate to have sat with and listened to the wise counsel of Dr Andrew Charles Hicks in the KMA Nairobi Division Council meetings in the last century. The death of Dr Hicks on 27th May 2017 marked the end of a generation of doctors who participated in activities of the medical associations during the colonial and postcolonial times. Luckily, he left us with oral and written history of the Association, some of which is quoted in this article.



Dr Andrew Charles Hicks

The Kenya Medical Association (KMA) is a membership organization representing medical doctors registered to practice in Kenya, with the twin mission of championing the welfare of doctors and advocating for the provision of quality healthcare for all.

In colonial times there were three separate Medical Associations, for Asian and European doctors initially and later, for African doctors. However, unlike most aspects of life then, there was a meeting point for all doctors under the umbrella of the British Medical Association, Kenya Branch. A non-European doctor, the late Dr. K.V. Adalja, represented the Kenya Branch of British Medical Association at 1953 Commonwealth Medical Association Conference in Cardiff,

United Kingdom. He was also the first non-European President of the British Medical Association, Kenya Branch in 1958 - 1959.

About the time of Uhuru, came the Medical Association of Kenya, uniting the three Medical Associations. This then developed into the present Kenya Medical Association. There were no KMA divisions until 1973, when at the instigation of Mombasa doctors, the constitution was changed to allow formation of regional divisions, each requiring a minimum of 25 members. The first divisions were Nairobi, Coast, Rift Valley, and Kisumu (then West Kenya), the latest Nyahururu brought the count of divisions to 17. Initially, Nairobi division was combined with and administered with the National Secretariat before separating to function as an individual division. The divisions had several committees including Continuing Medical Education (CME), Social, HIV/AIDS, Medical Camps and Road Safety. Lecture meetings were organized for members periodically.

KMA's first premises were offices rented at the Professional Centre commencing late seventies. Until then, council meetings were usually held in the office of the then current chairman. The present premises on which KMA Centre is built, were acquired on concessionary terms from the Government in 1985. The Professional Centre housed the Association of Professional Societies of East Africa (APSEA), an association that the

predecessor of KMA helped to form in the early 60s.

KMA was a major player in the formation of the Africa Medical Association after Medical Association in Africa left the World Medical Association in protest at the re-admission of the Medical Association of the then Apartheid South Africa. KMA has cordial relations with other medical associations particularly regional, Commonwealth, British and Indian Medical Associations, as well as with the Ministry of Health and Medical Practitioners and Dentists' Board.

The Association has grown in leaps and bounds and now has seventeen divisions across the country. KMA headquarters is on the 4th floor of KMA Centre in Upper Hill. KMA is governed by the National Governing Council (NGC) consisting of executives of all its divisions and Convenors of its twelve thematic committees. KMA is an active member of several associations nationally and internationally.

KMA is a member of APSEA where it provides guidance on matters health policy. In 2014 – 2016 Dr Elly Nyaim was elected, and served, as assistant secretary of APSEA's national executive committee following nomination by KMA. He was then the chairman of KMA.

KMA is also an active member of the World Medical Association (WMA), Commonwealth Medical Association (CMA) and Coalition of African National

Medical Associations (CANMA). KMA guides good health policy via its input in important national health bodies. KMA is a board member of National Health Insurance Fund (NHIF), Kenya Medical Practitioners and Dentists Council (KMPDC), Pharmacy and Poisons Board (PPB) and Tobacco Control Board (TCB). KMA participates in standards setting at the Kenya Bureau of Standards (KEBS) and is a major stakeholder in training and support of health workforce in control of the COVID Pandemic.



Dr. Elly Nyaim

On the welfare front, KMA takes pride in having borne KMA SACCO Ltd in 1999. It's asset base now stands at 5.3 billion Kenya Shillings. KMA Sacco members save and access affordable credit here. KMA also formed KMA Housing Sacco Ltd in 1992 to facilitate its members to own property. Housing has successfully done KMA housing estates in South C, Lang'ata, Riara Road, Mtwapa. The Kitengela project latest ongoing.

On the professional side KMA hosts the East African Medical Journal, that publishes papers on original work and reviews of all aspects of medicine. EAMJ is popular even beyond the Kenyan boundaries and has published many scholarly works.

KMA's social media pages, YouTube page and website provide rich access to the activities of the Association. Over and above informing its members and the platforms provide public access to online medical education.

Find the history of KMA in a documentary 'KMA at 50' on YouTube. KMA wishes APSEA a happy 60th Birthday!

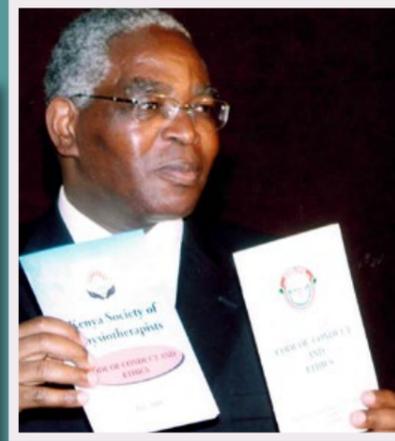
Dr Simon Kigundu
President of KMA
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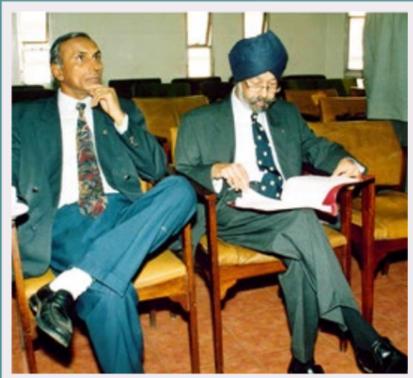
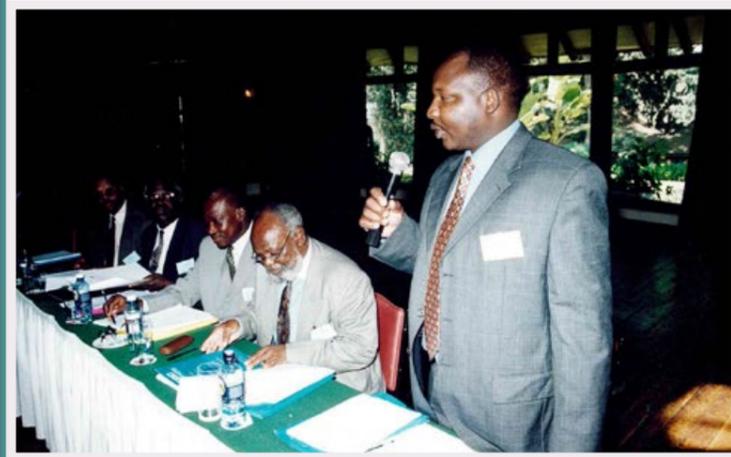
Kenya Medical Association National Governing Council 2022



Dr. Simon Kigundu
President of KMA
simonkigundu@gmail.com



APSEA PICTORIAL





**PHARMACEUTICAL
SOCIETY OF KENYA**

WHO IS PSK?



Dr. Louis Machogu

The Pharmaceutical Society of Kenya (PSK) is a representative organization that was formed to enable Pharmacists employ their professional expertise in the care of patients.

Established in 1964, PSK has its roots in the Pharmaceutical Society of East Africa, which was registered in 1950. Since its formation, PSK continues to promote a common standard for professional conduct and code of ethics for its members, as well as advocate for the welfare of pharmacists.



By Dr. Nicholas Muyale

KVA Profile



The Kenya Veterinary Association was established in 1967 it replaced the veterinary association which was a branch of the British Veterinary Association and whose membership was a monopoly of British veterinarians in government service in Kenya with a Membership of Royal College of Veterinary Science (MRCVS) qualification.

The Kenya Veterinary Association has been the premier professional association for all Kenyan veterinarians in public and private sector since formation and continues spearheading professional care to all animals. It is affiliated to the World Veterinary Association (WVA), Commonwealth Veterinary Association (CVA), Association of Professional Societies in East Africa (APSEA), and Kenya Health Federation (KHF).

KVA is a voluntary professional association committed to the improvement of all aspects of animal health, production and welfare and scientific advancement of the profession. It is a welfare association for dully qualified Veterinary Surgeons who practice veterinary medicine in Kenya, registered with the Kenya Veterinary Board under Cap 366 laws of Kenya the veterinary surgeons act.

1. The association was formed with five main objectives;
2. To safeguard the interest and welfare of its members.
3. To maintain the honor and dignity of the Veterinary Profession in Kenya.
4. To promote the welfare and health of all animals
5. To further the advancement of veterinary science and practice.

To seek and retain veterinary information and exchange relevant information with other international veterinary bodies.

The Association has 8 regional branches (Nyanza, Nairobi, Western, Eastern, North-Eastern, Coast, Western, Rift Valley) and 5 specialized branches (Kenya Poultry and Pigs Association-KePPoVA, Kenya Small and Companion Animals Veterinary Association-KESCAVA, Wildlife Branch, Kenya Women Veterinary Association-KWVA, Self-employed Veterinary Association-SEVET). The Association has 1,800 members, distributed across the country.

ADDRESSING A NATIONAL CRISIS OF POOR PROFESSIONALISM



By Dr. Kenneth Wyne Mutuma
PhD (UCT), LL.M (UCT) LLB (Liverpool) B-Arch Studies (UON)
Chartered Arbitrator, FCI Arb, CPS, Gov. Auditor, MAAK, Advocate

Every sector in Kenya is currently facing a problem of poor professionalism. This criticism has been lodged against the government as well as private entities. Every branch of government has been met with accusations. The Executive including its various ministerial departments have been accused of petty corruption at the individual level as well as institutionalized corruption. Similarly, members of parliament have been under the spotlight after reports of parliamentary-wide bribery. On the other hand, the Judiciary has been cited for failing to prosecute these crimes with the necessary vigour that is demanded by the law. This perceived inaction calls into question the legitimacy of the Judiciary as a whole, and its officers in particular. Specifically, whether their impartiality, independence and integrity as required by the Constitution, has been compromised. The private sector has also not been spared from the criticism. Companies in Kenya have been accused of abdicating on their financial duties in regards to paying taxes. In fact, a whopping 90% of firms conducting business in Kenya do not pay corporate tax.

While this has affected all types of business entities, well-established companies with large operations have become the face of this massive tax evasion. With cases of corruption and bribery increasingly being reported in the media, questions continue to rise among the public as to what measures can be implemented to rectify the current culture of professionalism. However, in order to find solutions, an analysis of the source of the current circumstances must be undertaken. There have been many reasons that has been put forward to explain this pervasive poor professionalism in the public and private sector. These range from unethical practices, market monopolies, bureaucracy and lack of media freedom. This article argues that a cultural deficit within government and private institutions is to blame and that adjusting the culture underpinning these institutions will ultimately improve service delivery.

The term 'culture' refers to the cumulative system of behaviours, values, assumptions

and beliefs that are common within any organization. Often any analysis of culture is approached from these four layers. Culture plays a very important role in helping to achieve the overall aim of any organization, be it, an organization in the business of making a profit or organizations established to serve a public good such as the judiciary. For instance, culture shapes the internal and external identity of an organization. It essentially determines public perception and level of confidence. This is especially important in regards to elective positions in Parliament because the electorate vote according to how well they feel a particular candidate will perform. Culture also helps in inspiring commitment among your employees. Generally, an organization which implements behaviours, values, assumptions and beliefs that are based on tenets of good professionalism, are viewed favourably by the employees. In addition, culture ensures that there is stability and consistency in service delivery as employees or officers are required to comply with certain set standards. Culture comes from the top leadership or through the organization's policies, procedures, strategies and action plans. Conversely, culture can be dictated

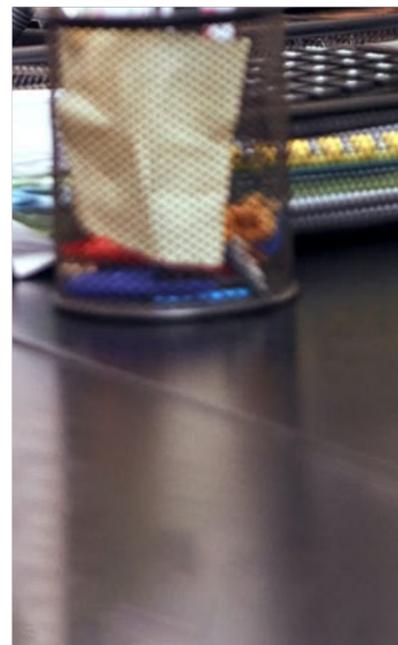
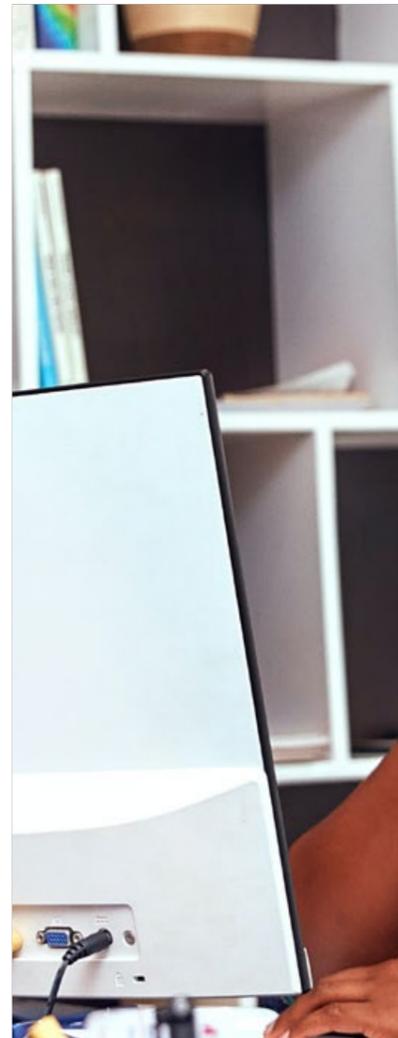
by how the organization deals with a crisis. Reactions to poor professionalism by management or employees that are not accompanied by strict punishment creates an impression that the said behaviour is acceptable. While the Constitution of Kenya 2010 does not expressly outline what good professionalism entails, it does provide the national values and principles that bind those in the private and public sector. These include patriotism, national unity, human dignity, rule of law, public participation, good governance, integrity, non-discrimination, social justices, transparency, democracy, equality and accountability. Therefore, it follows that conduct that seeks to undermine these principles amount to poor professionalism. Offences such as bribery, corruption and tax evasion qualify in this regard.

There are a number of frameworks that have been formulated to promote good professional practices in Kenya. Mwongozo, which is a governance framework for state corporations, requires corporations to be transparent and accountable, as well as comply with



ethical standards. The framework also includes a code of ethics which advances corporate governance principles such as disclosure of interest, social responsibility and integrity. Similar frameworks have been implemented in the private sector by individual organizations or through umbrella associations. For instance, the Kenya Private Sector Alliance (KEPSA), has issued a Business Code of Ethics in line with the UN Global Compact aimed at establishing anti-corruption, labour and environmental standards. In order to ensure effective implementation of these frameworks, there is need to engage all stakeholders including the public (customers), suppliers, investors and the government. Indeed, demonstrating compliance and out rightly condemning acts such as corruption has a positive domino effect on the private sector. Despite the existence of these frameworks, cases of poor professionalism continue to reverberate in the media. For instance, reports of stolen public funds and corruption have become the norm. These events have significantly reduced the public's confidence in organizations that they initially held in high regard. Furthermore, an under-appreciation within the private sector of the relationship between professionalism and long-term financial success also explains why there is such low compliance. Understanding this correlation will help organizations in achieving both their short term and long term objectives. In addition, it equips organizations with the necessary skills to navigate potentially unethical scenarios that they will encounter in their day-to-day activities. These include placing self-serving interests above civic duty, choosing to ignore set labour or environmental protection laws so as to maximize on profits and weighing whether to utilize profits or pay taxes.

Currently, the private sector has cultivated a culture of poor professionalism marked by questionable business practices including corruption, bribery, and tax evasion. This is especially relevant within the current climate surrounding the tendering process in Kenya. Some entrepreneurs who have prospered in these conditions have done so through dubious means. This has resulted in some of these incidences becoming part of normal business practices. Very few have expressed willingness to advocate for better conduct as most are keen on preserving themselves and their businesses. In an effort to cultivate a culture of professionalism within these organizations, there is need for concerted efforts by all parties involved. Individuals can no longer sit back and accept a



status quo characterized by chaos or exclude themselves from discussions that will move the needle forward. Private entities ought to endeavour to promote either individually or collectively, for better practices and forego past approaches of quiet indifference. This approach requires establishing formidable leadership at the company and institutional level. As demonstrated above, the organization's culture is determined majorly by the type of leadership. This means that it is the institutions themselves who can restore professionalism in business. This approach is two-pronged. The first is establishing a compliance-based professional management with all the necessary prescriptive and proscriptive rules, procedures, controls and penalties to ensure good professional practices. The second aspect includes cultivating, maintaining and promoting a culture based on transparency, accountability, integrity and social responsibility by incentivizing professionalism through rewarding compliant employees or punishing those who deviate. These approaches ought to be applied simultaneously and in equal measure so as to measure improvement.

The power of leadership in inspiring professionalism cannot be over emphasised. As stated by Peter Drucker: 'What executives do, what they believe and value, and what they reward and whom, are watched, seen, and minutely interpreted throughout the whole organisations. And nothing is noticed more quickly – and considered more significantly – than a discrepancy between what executives preach and what they expect their associates to practice.' This requires leaders to go beyond just mere lip service of the values that they espouse and actively integrate them into the organization's operations. This can be achieved by communicating to all relevant stakeholders their position on professionalism, and addressing instances of poor professionalism while also creating a culture where whistle-blowing is encouraged. Leaders looking to make a lasting impact must undergo critical self-reflection of the role that they are playing in addressing poor professionalism. Will one make positive change in their own individual capacity or will one quietly resolve to operate within a culture that does not advance good professionalism?



INSTITUTION OF SURVEYORS OF KENYA

ISK Background.

The Institution of Surveyors of Kenya (ISK) is a professional organization that brings together professionals in the land and real estate sector. The professionals fall within eight major disciplines of the surveying profession namely:- Land Surveying, Valuation, Building Surveying, Land Administration Managers, Engineering Surveying, Geospatial Information Management, Estate Agency and Property Management.

ISK's membership currently stand at approximately over 5,000 and it's spread across the country. ISK members are engaged in both the public and private sectors and are generally involved in the processes of land administration and management including policy formulation and implementation.

As an Institution, our key objectives are to promote professional ethical performance of services rendered by our members and also ensure that our members actively contribute towards the development of national and international policies, strategies and plans for land management in a sustainable manner.

ISK was inaugurated by 44 founding members on 17th April 1969 and subsequently registered on 12th August 1969 as a body corporate under the Societies Act.

The ISK logo was registered on 20th December 1969 as a "Coat of Arms" or "Grant of Arms" under the College of Arms Act and the Institution's tag line is 'kupima na kukadiria' (to measure and estimate).

Objectives of the Institution:

5,000 ISK's membership currently stand at approximately over 5,000 and it's spread across the country.



1969 ISK was inaugurated by 44 founding members on 17th April 1969 and subsequently registered on 12th August 1969 as a body corporate under the Societies Act.

The objectives of the ISK are;

- i. To secure the advancement, facilitate the acquisition of, and impart that knowledge which constitutes the profession of a surveyor;
- ii. To promote the professional, economic, social status and welfare of the members;
- iii. To promote the ethical performance of the obligations of the members of the profession for the benefit of the public;
- iv. To contribute to the development of national, regional and international policies, laws, strategies and plans in land management in a manner that facilitates sustainable development;
- v. To represent the interests of the members of the profession in relevant local, national, regional and international forums;
- vi. To work with other local, national, regional and international organizations on matters of mutual interest;
- vii. To establish such institutions, institutes or other bodies as may be necessary for the achievement of its objects;
- viii. To engage in the provision of such services as may be necessary for the benefit of the members or the sustainability of the Institution;
- ix. To conduct such examinations, tests or other assessments as may be necessary to determine an applicant's eligibility for membership; and
- x. To do all such things as are incidental to the forgoing objects.

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IHRM is a Statutory Professional Body established under the Human Resource Management Professionals (HRMP) Act, No. 52 of 2012. Its mandated to regulate the HR profession in Kenya, enhance competencies and capabilities while supporting innovative and transformative HR practices and standards.

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Frequently Asked Questions.

- What does APSEA mean?** Association of Professional Societies in East Africa (APSEA)
- How do I become a member?** We have requirements that you must meet before you are accepted as member. Kindly visit www.apsea.or.ke
- Must I be a member of a professional body to join APSEA?** YES
- Can I join as an individual?** No. However you become a member if your professional Association is a member
- Does APSEA have a board?** APSEA is governed by an Executive Committee in charge of the entire Council. It has Professional Centre (PC) and the Kenya Professional Development Fund (KPDF) as entities that are governed by their respective Boards of Management.
- Where are your offices?** Professional Centre, Parliament road. We are on the ground floor
- What are the benefits of becoming member?** Kindly visit www.apsea.or.ke
- Do you have offices at the professional centre?** Yes. Occasionally, we also have Offices To Let; Kindly visit www.apsea.or.ke
- What are meeting room rates?** The rates vary depending on hours of use. They are available upon enquiry.
- Do you offer refreshments in your meeting rooms?** We allow clients to outsource catering at their flexibility.
- Do you offer Trainings?** We have a membership of professionals from diverse disciplines where we refer students for training on various courses. We are also in the process of initiating a Career and mentorship guidance programme.
- What is your range of engagements?** We partner with the National Government, the Devolved system Government, Private sector, International bodies, various companies, firms and stakeholders as it is our course to broadly enhance professionalism.

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