



**Speech for the Chairman of the Board, Eng. Erastus K. Mwongera, CE, FIEK, CBS,
During a Consultative Meeting with Key Stakeholder Organizations to Discuss on
the Implementation of the Engineers (Scale of Fees for Professional Engineering
Services) Rules, 2022 on Tuesday, 12th January, 2023**

The Principal Secretary, Eng. Joseph Mungai Mbugua

Board Members Present,

The DGs and CEOs present

The Registrar, Eng. Margaret Ogai, CE,

Our Distinguished Stakeholders and members of the Taskforce,

Management,

Ladies and Gentlemen

Good Morning,

Happy New Year to you all!

Let me take this earliest opportunity to welcome you all to this important meeting. As a Board, we are truly honoured by your presence and are delighted that you took time to be with us to deliberate on issues that would make our Nation move forward. We are therefore very grateful and cannot take your commitment for granted. Please feel appreciated.

As are all aware, the Engineers Board of Kenya (EBK) is a statutory body established by the Engineers Act 2011. The Board is responsible for registration of engineers and firms, regulation of engineering professional services, setting of standards, development, and general practice of engineering. EBK is a successor to the Engineers Registration Board (ERB) that was created under the Engineers Registration Act 1969 (Repealed).

The enactment of the Engineers Act, 2011 to regulate the engineering profession was informed by the need to have a wholesome legislation that would provide a framework for the development of the profession alongside the

regulation of the profession. The Engineers Act 2011 therefore gave the Board a wide mandate and more powers to ensure that the profession grows to meet the current needs and expectations of society and the professionals for sustainable socio - economic growth.

Ladies and Gentlemen last year was very fruitful. As a Board we achieved quite a lot, and it was because of the immense support from you, our stakeholders. And this year we intend to maintain the momentum and endeavor to even do better.

We have put in place several initiatives to strengthen policies, legal and regulatory matters for the built industry, which include;

1. The Board carried out a County-Wide Structural Assessment of the On-Going Building Construction in March, 2022 and has submitted report to the ministry for approval. The key findings include;-
 - i. There is inadequate technical capacity in engineering in the counties to carry out approval of engineering documents and provided oversight to the projects under construction.
 - ii. Personnel who are not registered with the Board as professional engineers were heading key engineering functions.
 - iii. Several developers do not engage professional engineers during the entire project cycle (from design, supervision to operation and maintenance).
 - iv. The County Inspectorate does not have the capacity to carry out effective quality checks on ongoing works.
 - v. There are also gaps in the regulatory and institutional framework, especially on approval of engineering documents and the reference of the PLUPA Regulations to the Building Control Act that is non-existent.
 - vi. There are also malpractices and unethical conduct by industry players, change of design/unapproved alterations of approved plans, inadequate quality control,

It was recommended that;-

- i. County governments need to engage professional engineers to carry out the requisite professional engineering services, and that

- the heads of engineering functions be Professional Engineers in the relevant discipline duly registered and licensed by the Board.
- ii. The personnel approving engineering documents must also be professional engineers.
 - iii. The developers and the County governments must ensure that all the buildings under construction are supervised by professional engineers.
 - iv. The technical capacity of the County inspectorate needs to be enhanced to adequately provide oversight on building control.
 - v. In the short-term, County Governments are encouraged to come up with panels of professional engineers to offer the services.
2. The Board is dealing with disciplinary cases after receiving complaints from other agencies and members of the public. key finding is the supplanting of engineers during construction supervision, low fees being charged
3. The Cabinet Secretary, Lands, Housing and Urban Development appointed a Multi-Sectoral Committee whose main purpose was to address the collapse of buildings. The Committee met on 1st to 2nd December, 2022 in Mombasa and prepared report. Key findings included;-
- There are gaps in the regulatory, technical, institutional, resource and enforcement framework in the build industry. Case point is the study done by Price Waterhouse Coopers in Nairobi County that recommended a 220 Engineers (currently only 4 Engineers), there are 185 sub-counties, yet only 17No. enforcement officers.
- It was recommended the need to develop the Building Control Act, enhance technical capacity at counties by employing professionals to approve drawings and oversee construction. There is also the need for the Board of Registration of Architects and Quantity Surveyors (BORAQS) and EBK to establish projects portal and integrate the systems with the one from the National Construction Authority (NCA) and the County Governments.

4. Scale of fees; it is critical to ensure that professional engineers are effectively engaged in planning, design, construction supervision of all engineering projects so that to get value for money for the public.
5. Other notable initiative by the Board is the organizing the Trade In Service (TIS) Workshop on liberalization of professional services. The Board represented Kenya in AfCFTA and EAC. The Board looks forward to continuing participating in the important discussions with a view of establishing a sustainable engagement framework.
6. Furthermore, the Board succeeded in becoming an affiliate member of the WFEO (World Federation of Engineering Organizations) during the WFEO Conference in Paris, last year. This will go a long way in enhancing the Board to join the International Engineering Alliance, specifically acceding to the Washington Accord. The outcome of this process is the increase in mobility of engineers as they will be able to practise anywhere in the globe. There is a Taskforce in place to ensure successful acceding to the Washington Accord.

Ladies and Gentlemen, the Board has taken note of the approach by the Government which is consultative and in terms of increasing efficiency. The goal of digitizing government services in the next 6months is commendable. The Board is also developing the Engineers Project Registration Portal and will be commissioning by end of January, 2023.

In addition, through the Executive Order issued by H.E. The President, the Kenya Engineering Technicians and Technologists Board (KETREB) has been transferred from the Ministry of Education to the Ministry of Roads and Transport. This is also commendable. Now that the Boards are in the same state department, we look forward to fast track the outstanding issues, now that the discussions began a while ago. It is worth noting that the regulation and policy matters on engineering is mandated to the Engineers Board of Kenya. The PS will be giving a memorandum of the clarity as provided in the law.

Ladies and Gentlemen, the Board is keen on;

1. Increasing the number of registered professional engineers from 3,000 to 10,000 over the next 5years to meet the UNESCO recommendation of 1:5000 to support the realization of the National Developmental Agenda.
2. Strengthening compliance to the Engineers Act 2011 to 100% by developing and enforcing engineering standards in National and County Governments;
3. Designing and implementing engineers' capacities to be competitive globally; and
4. Developing and sustaining the Engineers Board of Kenya.

Ladies and gentlemen, the implementation of the Engineers Scale of Fees is required to be carried out by all MDGAs, developers and all the consumers of professional engineering services. I would therefore like to request you stakeholders to support the implementation the ESOF which will result in value for money in the construction of your projects as well as the guaranteeing of public safety and welfare.

Finally, I would like to take this opportunity to thank you, our esteemed stakeholders in the immense contribution in supporting the Board to the realization of its mandate in guaranteeing public safety and welfare. As a Board, we assure the National and County Government unwavering support in the attainment of the National Developmental Agenda. We look forward to continue engaging all the sectors such as Agriculture, Energy, ICT, Manufacturing, Blue Economy etc. for the prosperity and posterity of our beloved Motherland of Kenya.

Thank You all and God Bless You.