

NO. 3 OF 1996

THE PHYSICAL PLANNERS REGISTRATION ACT

SUBSIDIARY LEGISLATION

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THE PHYSICAL PLANNERS (FORMS AND FEES) RULES

[Legal Notice 125 of 1998]

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

FIRST SCHEDULE

THE PHYSICAL PLANNERS REGISTRATION BOARD REGISTER

FORM 1A

(s. 6 and r. 2)

Name in full Title

Nationality Age

Academic and Professional affixes

Date of application for registration

Date of issue of certificate

Postal Address

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

is hereby registered as a Physical Planner this day of 20

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

In witness whereof the Common Seal has been affixed hereto.

Chairperson of the Board

Registrar

Physical Planners Registration

[Subsidiary]

Member of the Board

Member of the Board

ENDORSEMENTS

Chairman of the Board

Member of the Board

Registrar

Member of the Board

FORM 1B

No.

THE PHYSICAL PLANNERS REGISTRATION ACT (Cap. 536) THE PHYSICAL PLANNERS REGISTRATION BOARD THE PHYSICAL PLANNERS REGISTER (SUMMARY)

Serial No. Name and Qualification Certificate Practising Address Registration No. Remarks

- 1. Yes No
2.
3.
4.

CONFIDENTIAL

FORM II

(s. 12(1), r. 3)

THE PHYSICAL PLANNERS REGISTRATION ACT (Cap. 536) THE PHYSICAL PLANNERS REGISTRATION BOARD APPLICATION FOR REGISTRATION

1. Surname Title

(Block Capitals)

Other Names

(Block Capitals)

Date of Birth

Marital Status

Nationality

Qualifications

Postal Address

Residential Address

Physical Planners Registration

[Subsidiary]

Telephone No. Office House

Fax No. E-mail Address

Have you previously applied for registration? YES/NO.

If yes, state date(s)

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

<i>Duration</i>	<i>Course</i>	<i>Institution</i>	<i>Award</i>
.....
.....
.....
.....

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

<i>Examining Body</i>	<i>Professional Qualifications</i>	<i>Membership Status</i>	<i>Year</i>
.....
.....
.....
.....

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

<i>Organization</i>	<i>Duration</i>	<i>Position held</i>	<i>Responsibilities</i>
.....
.....
.....
.....

5. Other Qualifications (specify with dates):

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

6. Membership of other institutions:

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

7. Honours/Distinctions received:

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

8. Publications:

.....

Physical Planners Registration

[Subsidiary]

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

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

If yes, state from what date

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

11. I hereby declare that the foregoing statements are true in every respect. I acknowledge that my statement contained in this application which is false shall invalidate this application. I have read the Physical Planners Registration Act (Cap. 536). I am aware of the penalties stipulated in the Act and I understand that if registered, I shall be bound by the provisions of the Act and any amendments thereto so long as my name remains in the register.

Date Applicant's Signature

FOR OFFICIAL USE ONLY

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

NOTES

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

FORM III (s. 7 and r. 4)
THE PHYSICAL PLANNERS REGISTRATION ACT
(Cap. 536)
CERTIFICATE OF REGISTRATION

This is to certify that is a Registered Physical Planner in accordance with the provisions of the Physical Planners Registration Act (Cap. 536) in witness whereof the common seal has been hereto affixed.

.....

Physical Planners Registration

[Subsidiary]

(Member)

.....
Registrar (Member)
Date

Serial No.

FORM IV (r. 5)
THE PHYSICAL PLANNERS REGISTRATION ACT
(Cap. 536)
PRACTISING CERTIFICATE

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

.....
(Registrar) (Chairman)
Date

FORM V (r. 6)
THE PHYSICAL PLANNERS REGISTRATION ACT
(Cap. 536)
APPLICATION FOR RESTORATION/RE-INSTATEMENT

Reg.
No.

- 1. Name
- Postal Address
- Tel. No.
- Date of Removal from Register/Suspension
- Gazette Notice No. Date

2. Reasons for seeking restoration/ re-instatement.
.....
.....
.....

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

Date Applicant's Signature

FOR OFFICIAL USE ONLY

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

Physical Planners Registration

[Subsidiary]

SECOND SCHEDULE

[r. 7]

FEES

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

THIRD SCHEDULE

[r. 8]

CHARGES FOR SERVICES RENDERED BY PRACTISING PHYSICAL PLANNERS

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

1. (1) There shall be three categories of physical planner consultants, namely—
 - (a) junior consultant;
 - (b) senior consultant;
 - (c) principal consultant, who shall be owner of consulting firm.

(2) The minimum charges shall range between KSh. 1,500 and KSh. 3,500. A client will negotiate the actual fee with the registered physical planner.

(3) The maximum charge shall be negotiated and agreed, taking into consideration the physical planner's qualifications, experience and the complexity of the contract task.

(4) A planning assistant who shall be a non-registered graduate physical planner may be recruited by a registered physical planner. The remuneration of the former shall be negotiable but must be below KSh. 1,500, per hour.

(5) A technician/draughtsman working for a registered physical planner shall be remunerated at a fee below that paid/payable to a planning assistant.

(6) The alternative mode of charges shall be one eighth of daily salary for a registered physical planner who is employed on a full-time basis, proof of which shall be a payslip.

Physical Planners Registration

[Subsidiary]

A working day is considered to consist of eight (8) hours; and twenty days to make one man-month.

(7) There shall be additional charges equivalent to 30 per cent of gross emoluments to cover overhead costs.

(8) Cost re-imbursables such as transport, accommodation and Government/local authority levies, shall be met by the client upon production of proof of such expenditure.

(a) Subdivision of Rural Agricultural Land

Land Size	Fee (KSh.) per acre
First 1,000 acres	5000
Over 1,000 acres	300
Minimum for whole scheme	30,000

(b) Subdivision of Urban Agricultural Land (Under City, Municipal and Town Council authorities):

Land Size	Fee (KSh.) per acre
First 50 acres	12,000
Over 50 acres	9,000
Minimum	50,000

(c) Subdivision of Urban Residential Land:

First 25 acres	30,000
Over 25 acres	15,000
Minimum	200,000

(d) Comprehensive Development - I (using acreage):

First 25 acres	75,000
Over 25 acres	50,000
Minimum	200,000

(e) Comprehensive Development - II (using sub-plots):

First 5 plots	6,750
Next 25 plots	5,500
Next 70 plots	4,250
Next 100 plots	3,250
Over 200 plots	2,250
Minimum	200,000

(f) Industrial and Commercial Development (High Density):

(a) First 25 acres	40,000
Over 25 acres	27,500
Minimum	100,000

or

(b) First 5 plots	20,000
Next 20 plots	15,000
Over 25 plots	7,500
Minimum	100,000

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

3. (1) A registered physical planner shall charge 5 per cent of the value of land covered by the scheme plan.

(2) The value of land shall be such as mutually agreed between the registered physical planner and the client or determined by a valuer registered under the Valuers Act (Cap. 532).

THE PHYSICAL PLANNERS (PROFESSIONAL MISCONDUCT) (PROCEDURE) RULES

[Legal Notice 123 of 1998]

1. These Rules may be cited as the Physical Planners (Professional Misconduct) (Procedure) Rules.
2. In these Rules, "professional misconduct", in relation to a charge against a registered physical planner, means conduct which the Board deems, after due inquiry, to be professional misconduct.
3. (1) A registered physical planner shall be guilty of misconduct if such physical planner—
 - (a) knowingly accepts any professional planning work which involves the giving or receiving of discounts or commissions;
 - (b) accepts to complete work partly done by another planner while the latter has not been fully paid and his contract of engagement has not been terminated;
 - (c) undertakes specialist work without sufficient knowledge of the subject or expert assistance;
 - (d) knowingly prepares or certifies any statement which is false, incorrect or misleading by reason of the misstatement, omission or suppression of a material fact or otherwise;
 - (e) deviates from the schedule of fees prescribed by the Board by charging less than the charges laid down without notifying the Board of his intention to do so, and the reasons for the extent of such deviation and receiving the Board's sanction thereto;
 - (f) being a registered physical planner in employment accepts professional work on one's own account without the knowledge and consent of the employer unless the contract of service expressly authorizes one to do so;
 - (g) commissions another registered physical planner and pays less than the agreed fees;
 - (h) advertises one's name, firm or work in the press, television, radio or by means of circulars, displays or otherwise except in a manner approved by the Board;
 - (i) conducts oneself in a manner which the Board may deem incompetent, dishonourable or grossly negligent in connection with the work performed by him/her;
 - (j) offers, expresses or communicates to the public or a client any criticism or adverse comment on the professional services or conduct of another registered physical planner without giving the latter a chance of defending himself/herself;
 - (k) gives expert evidence in courts or before other judicial bodies if one has financial interests in the proceedings other than proper and reasonable fees payable for the services;
 - (l) releases or misuses confidential information relating to the client;
 - (m) abandons work already started without giving a satisfactory explanation to the client;
 - (n) acts for two parties with conflicting interests without both of them knowing;
 - (o) withholds reports, drawings and other materials connected to the project from an employer or client if the other party has fulfilled his/her part of the contract;
 - (p) claims as his/her own another physical planner's ideas, designs or concepts;
 - (q) practises in a business name or style without one's name and qualifications appearing on the letterhead.

Physical Planners Registration

[Subsidiary]

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

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

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

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

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

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

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

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

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

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

THE PHYSICAL PLANNERS (REGISTRATION PROCEDURE) RULES

[Legal Notice 124 of 1998]

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