

SPECIAL ISSUE

Kenya Gazette Supplement No. 63

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22nd May, 2015

(Legislative Supplement No. 30)

LEGAL NOTICE NO. 86

THE HUMAN RESOURCE MANAGEMENT PROFESSIONALS
ACT, 2012

(No. 52 of 2012)



IN EXERCISE of the powers conferred by section 44 of the Human Resource Management Professionals Act, 2012, the Council, in consultation with the Cabinet Secretary for Devolution and Planning, makes the following Regulations:—

THE HUMAN RESOURCE MANAGEMENT PROFESSIONALS
(REGISTRATION AND TRAINING) REGULATIONS, 2015

PART I—PRELIMINARY

1. These Regulations may be cited as the Human Resource Management Professionals (Registration and Training) Regulations, 2015.

Citation.

2. In these Regulations unless the context otherwise requires—

Interpretation.

“continuous professional development” means a process or activity that provides added value to the capability of the professional through advancement in knowledge, skills and personal qualities necessary for the execution of professional and technical duties;

“credit point” means continuous professional development rating as determined by the Council;

“registered” means registered as a member of the Institute under section 4 of the Act;

“unit of continuing education” means a measurement assigned by the Council to all or part of a continuing education activity.

PART II—MEMBERSHIP AND REGISTRATION

3. (1) A person shall be invited for membership as a Fellow of the Institute of Human Resource Management if he or she is a member of the Institute who has practiced human resource for a minimum of fifteen (15) years and has rendered outstanding service to the human resource profession.

Membership registration for Fellows.

(2) Subject to these Regulations, all persons who had been invited to be Fellows by the Institute as at 31st December, 2013, shall retain their fellowship.

4. A person shall be registered as a Member of the Institute if he or she meets the following academic, professional and work experience requirements. He or she must be a holder of—

Criteria for registration of a Member.

- (a) a Bachelor's degree or a Master's degree in any discipline or its equivalent from a recognized university and a Higher Diploma in human resource management or a Post Graduate Diploma in human resource management or its equivalent from an accredited institution with a minimum of five (5) years' work experience in human resource;
- (b) a Bachelor's degree or a Master's degree in human resource management or its equivalent from a recognized university with a minimum of five (5) years' work experience in human resource;
- (c) a Bachelor's degree or a Master's degree in any discipline or its equivalent from a recognized university and a certificate in one of the competencies in human resource management with a minimum of ten (10) years' work experience in human resource. (This criterion will only be applicable up to 31st December, 2015);
- (d) a Higher Diploma in human resource management or its equivalent from an accredited institution with a minimum of ten (10) years' work experience in human resource. (This criterion will only be applicable up to 31st December, 2015);
- (e) a Master's degree in human resource management or its equivalent from a recognized university with a minimum of five (5) years of teaching or research experience in human resource;
- (f) a PhD in human resource management from a recognized university with a minimum of three (3) years of teaching or research experience in human resource; or
- (g) a Bachelor's degree in any discipline and a CPS(K) with a minimum of five (5) years' work experience in the field of human resource.

5. A person shall be registered as an Associate Member of the Institute if he or she holds any of the following qualifications-

Registration of
Associate Members.

- (a) a Bachelor's degree or a Master's degree in human resource management or its equivalent from an accredited university;
- (b) a Higher Diploma in human resource management or its equivalent from an accredited institution;
- (c) a Diploma in human resource management or its equivalent from an accredited institution; or
- (d) a Diploma in any discipline and a certificate in human resource management or its equivalent from an accredited institution.

6. (1) Every human resource management professional shall apply for membership to the Registration Committee for registration as a Member or Associate Member, annually.

Applications for
registration.

(2) Every applicant shall obtain from the Institute, an application form for registration under sub-regulation (1), as set out in Form A in the Schedule to these Regulations.

(3) For purposes of registration, an applicant shall—

- (a) produce documentary evidence of academic, professional and relevant experience in the field of human resource management;
- (b) pay the requisite annual membership fee as determined by the Council, from time to time.

(4) Once an application is approved by the Registration Committee, the successful applicant shall be issued with a certificate of registration as set out in Form B in the Schedule to these Regulations.

PART III—ANNUAL PRACTICING CERTIFICATES

7. Any person seeking to obtain or renew a practising certificate must be a fully paid up Fellow or Member of the Institute with a minimum Bachelor's degree and a Higher Diploma in human resource management or its equivalent from a recognized professional examining body, who either performs human resource management duties and responsibilities in an organization or offers human resource consultancy services in a registered human resource firm.

Eligibility for an annual practicing certificate.

8. (1) The annual practicing certificate shall be as set out in Form C in the Schedule to these Regulations.

Annual practicing certificates.

(2) The Council shall, from time to time, review the fee for annual practising certificates.

PART IV—CONTINUING PROFESSIONAL DEVELOPMENT

9. (1) The Council shall conduct education programmes as may from time to time be deemed relevant and may accredit any programme conducted by any institution, body or other organization (in these Regulations referred to as "the sponsoring agency").

Conduct of education programmes of the Council.

(2) The Council shall assign a unit or units of continuing education for each programme to be used in awarding credit points to members participating thereof.

(3) The Council shall review credit points under the continuous professional development scheme by giving notice to members.

10. The Council or the sponsoring agency may award credit points to participants in the continuing education programme and shall issue certificates of participation to all participants who have successfully completed the programme.

Award of credit points and certificates.

11. (1) The Council shall keep a record of all accredited programmes showing their sponsoring agencies, the description of any such programmes and whether the sponsoring agency has filed a record of its participants.

Record of accredited programmes and participants.

(2) The Council or the sponsoring agency shall keep a record of the participants in any programme, showing whether the participants successfully completed their programmes or not.

(3) The sponsoring agency shall, upon the completion of any programme, file a return with the Council.

12. Every continuing professional development or education programme shall emphasize ethical, practical and professional aspects of human resource management or strategic human resource planning relevant to the practice of human resource management and must be aimed at the improvement of the professional competence of the human resource management professionals.

Requirements for continuing education programmes.

13. (1) Any sponsoring agency seeking accreditation shall make an application in that regard to the Council in the prescribed form.

Application for accreditation.

(2) The Council shall consider the application for accreditation and shall approve or reject the same, having regard to the following—

- (a) whether the objective of the programme is that of the improvement of the professional competence of human resource management professionals;
- (b) whether the applicant has the infrastructure sufficient and conducive for disseminating the programmes;
- (c) whether the applicant has the expertise and resources necessary for achieving the goals of continuous professional development or education programme;
- (d) whether the programme is an educational programme;
- (e) whether the programme is an activity dealing with the subject matter that is directly relevant to the practice of human resource management;
- (f) whether the method of presentation sought to be utilised is appropriate for dissemination of the relevant skills and knowledge to the participants; and
- (g) any other matter that may appear relevant.

14. The Council may prescribe a fee to be paid by participants taking part in any continuing education programme, and, in the case of an accredited programme, the Council shall approve any such accreditation fees levied to a sponsoring agency.

Prescribing fees.

15. Every application for an annual practicing certificate shall be accompanied by proof that the applicant has secured ten credit points of continuing education upon attending and participating in the continuing education programmes during the preceding year as set out in Form D in the Schedule to these Regulations.

Proof of compliance.

16. The Council may delegate any or all of its functions under these Regulations, to a Committee by itself.

Delegation of functions.

SCHEDULE

FORM A

(r. 6(2))

**IHRM MEMBERSHIP REGISTRATION FORM
APPLICATION FOR IHRM MEMBERSHIP**

Note for applicants: *Applicants should complete all questions in block letters.*

I. PERSONAL DATA				
Surname (Prof. Dr. Mr. Mrs. Ms.)			Other Names:	
Preferred Postal Address;			Physical Office/Hse/Room No. Address:	
Mobile number			Office Telephone No.	
Personal E-mail			Office Mail Address	
II. EDUCATION AND TRAINING				
(Starting with your highest qualification, give full details of your education and training) ATTACH COPIES OF YOUR ACADEMIC AND HR PROFESSIONAL CERTIFICATES, CURRENT CV AND COPY OF ID/PP.				
From	To	Institution (Name & Location)	Certificates/Degrees Earned	Main Field of Study

III. EMPLOYMENT HISTORY				
(Starting with your most recent employment, give the following information about positions you have held during the past Years.)				
ATTACH RECOMMENDATION LETTER FROM CURRENT EMPLOYER				
From	To	Name of Employer	Address of Employer	Position Held

IV—EVIDENCE OF HR COMPETENCES

Clearly indicate your contribution in the following core critical competences of the HR practice

1. Organizational Design and Development.
2. Employee Resourcing.
3. Learning and Development.
4. Performance and Reward Management.
5. Employee Relations/Industrial Relations.
6. Productivity Management.
7. Pension/Retirement Management.
8. Other Areas.

V—REFEREES

Please give the names and address of TWO persons, not relatives, to act as your referees for providing information about you. The referees must be able to support this application by actual knowledge of your responsibilities, ability and general character.

FIRST REFEREE: YOUR IMMEDIATE SUPERIOR

Name:

Company:

Position:

Postal Address:

SECOND REFEREE: PROFESSIONAL REFEREE (*Preferably a member of the Institute*)

Name:

Company:

Position:

Postal Address:

DECLARATION BY APPLICANT

I declare that the statements made herein are correct to the best of my knowledge and belief and I agree to be bound by the Human Resource Management Professionals Act, 2012, Code of Professional Conduct and Ethics, and the rules and regulations of Institute of Human Resource Management, Kenya, as they currently exist and as they may hereafter be altered.

SIGNATURE

DATE

ID/Passport (Attach Copy)

For Official Use Only

Membership Enrolment Checklist

S/N	Requirement	Yes	No	Remarks
1	Academic certificate(s)			
2	CV			
3	Recommendation Letter			
4	Copies of Certificates			
5	Copy of National ID/PP			
6	Payment receipts (Membership)			

Approval by the Registration Committee

Approved/Note Approved

Remarks:

Sign: (Chair, Registration Committee)

Date:.....

FORM B

(r. 6(4))

CERTIFICATE OF REGISTRATION AS A MEMBER OF IHRM
PROFESSIONAL

We hereby certify that (NAME).....
is member of IHRM, having complied with the relevant
provisions of Human Resource Management Professionals Act (No. 52 of 2012)
laws of Kenya.

Given this.....day of.....20.....

This certificate is valid until the day of 20.....

Chair, IHRM Council Date

Secretary, IHRM Council..... Date

Chair, Registration Committee Date

FORM C

(r. 8(1))

IHRM PRACTISING CERTIFICATE

This is to certify that..... of registration No..... having complied with the relevant provisions of the Human Resource Management Professionals Act (No. 52 of 2012) Laws of Republic of Kenya, and regulations thereto is licensed to practice in Kenya as a Human Resource Professional.

Given under our hand and the common seal of the IHRM Registration Committee in Nairobi, thisday of..... 20.....

This license is valid until theday of.....

Chair, IHRM Council Date.....

Secretary, IHRM Council..... Date.....

Chair, Registration Committee Date.....

FORM D

(r. 15)

CPD RECORD SHEET

Name

Reg. No.

Contacts

CPD Year

Activity date	Duration	CPD Activity	CPD Service provider	CPD points awarded	Reg. No. and Signature of relevant officer of CPD provider
TOTAL CPD points for the Year					

Secretary, IHRM Council

Signature:

Date:

Dated the 19th May, 2015.

SAMSON K. OSERO,
Executive Director.

SPECIAL ISSUE

Kenya Gazette Supplement No. 67

559

27th May, 2015

Legislative Supplement No. 33)

LEGAL NOTICE NO. 91

THE INCOME TAX ACT

(Cap. 470)

EXEMPTION

IN EXERCISE of the powers conferred by section 13 (2) of the Income Tax Act, the Cabinet Secretary for the National Treasury directs that the interests to be paid on loan from foreign sources for investing in the energy or water sectors, or in roads, ports, railways or aerodromes shall be exempt from tax.

Made on the 22nd May, 2015.

HENRY ROTICH,

Cabinet Secretary for the National Treasury.

LEGAL NOTICE NO. 92

THE MICROFINANCE ACT

(No. 19 of 2006)

EXEMPTION

IN EXERCISE of the powers conferred by section 19 (3) (b) of the Microfinance Act, 2006, the Cabinet Secretary for the National Treasury exempts the National Council of Churches of Kenya from the provisions of section 19 (1) and (2) of the Act in connection with the acquisition and direct or indirect holding of ordinary shares into Small and Micro Enterprise Programme Microfinance Bank Limited for a period of two (2) years, with effect from the 1st January, 2015.

Made on the 15th May, 2015.

HENRY ROTICH,

Cabinet Secretary for the National Treasury.

LEGAL NOTICE NO. 93

THE NATIONAL YOUTH SERVICE ACT

(Cap. 208)

INCREASE OF THE NUMBER OF MEMBERS OF THE SERVICE

IN EXERCISE of the powers conferred by section 5 (1) of the National Youth Service Act, the Cabinet Secretary for Devolution and Planning prescribes that the number of members of the Service shall not exceed sixty thousand.

Legal Notice No. 319 of 1965, is revoked.

Made on the 22nd May, 2015.

ANNE WAIGURU,

Cabinet Secretary for the Devolution and Planning.

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combined turnover of KSh. 548,538,600.00 is below the required merger threshold for mandatory notification as stipulated by the Merger Threshold Guidelines.

Dated the 7th April, 2015.

WANG'OMBE KARIUKI,
Director-General.

LEGAL NOTICE NO. 67

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the proposed acquisition of 100% of the issued shares of Nicholas Mining Industries Limited and Rift Valley Resources and Exploration Limited by Screen Check East Africa Limited from Part IV of the Act due to the following reasons—

- (a) the merger will not affect competition negatively;
- (b) the acquirer is a dormant undertaking; and,
- (c) the targets undertakings are in the mineral exploration and prospecting sectors, and therefore are excluded as provided in the Merger Threshold Guidelines.

Dated the 7th April, 2015.

WANG'OMBE KARIUKI,
Director-General.

LEGAL NOTICE NO. 68

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

IN EXERCISE of the powers conferred by section 42(1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the proposed acquisition of 70% of the issued shares of TFA East African Investments Limited by Sunbird Business Services Limited from Part IV of the Act due to the following reasons:-

- (a) the merger will not affect competition negatively;
- (b) the acquiring undertaking does not have business presence in Kenya, and therefore does not have turnover; and,
- (c) the target undertaking is newly incorporated in Kenya and hence has no turnover and therefore does not meet the