



**REPUBLIC OF KENYA**

**DRAFT REGULATIONS**

**BUILDING SURVEYORS ACT NO. 19 OF 2018**

**JUNE 2023**

## REGULATIONS

### LEGAL NOTICE NO.....

IN EXERCISE of powers conferred by Section 39 of the Building Surveyors Act No. 19 of 4<sup>th</sup> January, 2018, the Cabinet Secretary for Lands, Public Works, Housing and Urban Development in consultation with the board makes the following regulations:

#### 9PART I: PRELIMINARY PROVISIONS

1. **CITATION:** These regulations may be cited as the Building Surveyors Regulations 2023

2. **INTERPRETATION:**

- i. In these regulations unless the context otherwise requires: - “ACT “means the Building Surveyors Act No. 19 of 2018.”
- ii. These Regulations were formulated pursuant to the following sections of the Act:

- Section 22 – Registration of Building Surveyors
- Section 23 – Registration in exceptional cases
- Section 24 – Power to suspend registration
- Section 25 – Removal of name from register
- Section 26 – Restoration of name in the register
- Section 27 – Procedure at inquiry
- Section 28 – Appeals of aggrieved member
- Section 39(I) and (2) power to make regulations
- Section 4 – functions of the board
- Section 4(2):
  - (a) Promotion of the practice of building surveying
  - (b)Prescribe the minimum requirements, consider and approve qualifications of persons wishing to be registered as Building Surveyors
  - (c)Maintain a register
  - (e)Issuance of registration Certificate and levy fees

- (f) Practising license
- (h) Establishment of professional code of conduct
- (i) Establish, approve and accredit Continuous Professional Development (CPD) for Building Surveyors (BS)

## **PART II: REGISTRATION OF BUILDING SURVEYORS**

### **3. REGISTRATION OF A BUILDING SURVEYOR**

A person who wishes to be registered as a Building Surveyor under Section 22 of the Act shall:

- i. Submit an application to the Board for registration in Form BSRB No. 1 (a) set out in the First Schedule.
- ii. Provide certified copies of academic & professional certificates and such other documents as are necessary to proof qualification for registration under Section 22 of this Act.
- iii. Undertake and pass a professional oral/written interview to satisfy the Board on applicant's professional competence.
- iv. Demonstrate achievement of practical experience in Building Surveying field for a period of not less than 2 years by attaching a copy of certificate of full membership of the Institution of Surveyors of Kenya; Building Surveyors Chapter or/and Certificate of any other professional body acceptable by the Institution of Surveyors of Kenya as equivalent or complementary to full member of the Building Surveyors Chapter.
- v. Pay requisite application fees as determined by the Board in a banker's cheque; Bank deposit slip or Mobile Money payment options payable into Building Surveyors Registration Board account.

#### **4. APPLICATION FOR REGISTRATION**

- i. The application for Registration and all academic & professional certificates and such other documents submitted to the Board for the purpose of registration shall be in English and where applicable, all translations shall be in English and by competent authorities.
- ii. An application under these regulations shall be accompanied by the requisite application fees prescribed in the Second Schedule.
- iii. The Board may while processing an application, require an applicant to submit original certificates or documents for authentication.
- iv. The Board may require the applicant to furnish such further information or evidence of eligibility for registration as it may specify.

#### **5. REGISTRATION IN EXCEPTIONAL CASES**

- i. A foreign person who wishes to register as a Building Surveyor for a period of time under Section 23 of the Act shall submit an application to the Board for registration in Form BSRB 1 (b) set out in the First Schedule.
- ii. An application under 5 (i) above shall be accompanied by:
  - a) Proof of registration as a Building Surveyor from the country where he/she practices Building Surveying profession.
  - b) A certified copy of valid practising license and valid professional membership from the country of origin certified by the Institution of Surveyors of Kenya.
  - c) Proof of previous Building Surveying services rendered or works done and completed.
  - d) A letter of recommendation from the employer clearly stating the specific projects the Building Surveyor seeks to offer services and the duration of such services.
  - e) A detailed Career report/ CV on professional practice stating Building Surveying services provided and client details.

## **6. RENEWAL OF REGISTRATION IN EXCEPTIONAL CASES**

- i. At least 3 months before expiry of a temporary registration, a foreign person may apply for renewal of registration in the prescribed form.
- ii. An application under Section 6 (i) above shall be accompanied by:
  - a) A copy of current practising certificate/ license issued by the Board.
  - b) A copy of the current practising certificate/license for which a renewal is sought.
  - c) Proof that the applicant has maintained a good standing as a foreign Building Surveyor.
  - d) Proof of skills and technology transfer to local Building Surveyors.
- iii. The Board shall determine applications under these regulations based on the evaluation criteria determined by the Board.
- iv. The Board shall recognize professional registration by the foreign body with which the Board has a mutual recognition agreement.

## **7. REGISTRATION CERTIFICATE**

The Board shall issue every registered Building Surveyor with a registration certificate as prescribed in Form BSRB 2 (a) set out in the First Schedule.

## **8. REGISTRATION CERTIFICATE UNDER EXCEPTIONAL CASES**

The Board shall issue a Building Surveyor registered under exceptional cases with a registration certificate as prescribed in Form BSRB 2 (b) set out in the First Schedule.

## **9. PRACTISING LICENSE**

- i. A registered Building Surveyor may apply to the Board for an annual practising license to enable him/ her offer Building Surveying services as prescribed in Form BSRB 4 in the First Schedule.
- ii. An application for the issuance of practising license shall be accompanied by:
  - a) Application fees prescribed in Schedule 3 of these regulations.
  - b) A certificate of registration.

- c) A copy of the certificate of good standing issued by the Institution of Surveyors of Kenya.
- d) Proof of appropriate & adequate insurance indemnity cover.

#### ***10. ISSUANCE OF ANNUAL PRACTISING LICENSE***

The Board shall issue every licensed Building Surveyor with an annual practising certificate as prescribed in Form BSRB 4 set out in the First Schedule and shall be renewed annually.

#### ***11. RENEWAL OF LICENSE***

- i. A person who wishes to renew their annual practising license shall apply to the Board for renewal of the license.
- ii. The application for renewal of annual practising license shall be accompanied by:
  - a) The fees prescribed in the Second Schedule.
  - b) Copy of certificate of good standing issued by the Institution of Surveyors of Kenya.
  - c) Appropriate & adequate Insurance indemnity cover.

#### ***12. PERIOD FOR RENEWAL OF ANNUAL PRACTISING LICENSE***

Every person registered under the provisions of the Act shall be required to pay the annual license fees prescribed in the Second Schedule by 1<sup>st</sup> January of every calendar year.

#### ***13. POWER TO SUSPEND REGISTRATION***

Pursuant to Section 24 of the Building Surveyors Act the Board shall have power to suspend registration of a Building Surveyor under the following circumstances:

- a. If they are found guilty of an offence under the Act before the registration
- b. If they are found unqualified during the application for registration.

#### ***14. REMOVAL OF NAME FROM REGISTER***

The Board shall have the power to remove the name of a Building Surveyor from the Register under circumstances indicated in Section 25 of the Act.

### ***15. RESTORATION OF NAME IN REGISTER***

- i. Any Building Surveyor whose name has been removed from the Register pursuant to an order of the Board under section 25 and whose appeal has been accepted under section 26 shall be reinstated forthwith in the Register and be issued with a certificate of registration by the Registrar under the following circumstances:
  - a) After making an application for reinstatement and pay the fees prescribed in the Third Schedule and penalties, where applicable;
  - b) Upon satisfying such conditions as may be determined by the Board.
- ii. The Registrar shall, in so far as is practicable, bring every application for reinstatement before the Board for its consideration at its first meeting after receiving the application.
- iii. Any person whose name has been removed from the Register pursuant to an order of the Board under Section 25 and who has not appealed against that order or whose appeal has been dismissed, may apply for reinstatement in the Register after the expiration of not less than six months from the date of the order of removal or cancellation of registration certificate.
- iv. The Board upon receipt of satisfactory evidence of proper reasons and application for reinstatement under paragraph (iii) above and upon reimbursement of all expenditure incurred by it arising out of the proceedings leading to the removal or cancellation of Registration certificate shall upon payment of the prescribed fee be issued with a certificate of registration.

### ***16. BUILDING SURVEYING SERVICES***

Every registered Building Surveyor will offer to clients services listed under Third schedule but not limited to it and charge fees listed therein.

## **PART III: GENERAL PROVISIONS**

### ***17. FEES CHARGED FOR PROFESSIONAL SERVICES***

A Building Surveyor registered under the Act shall charge such fees, for Building Surveying services rendered, as shall be determined by the Board from time to time in accordance to Section 4(2)(o) and contained in schedule 2(a)

### ***18. CODE OF CONDUCT***

- i. Every Building Surveyor shall adhere to and uphold the code of ethics and conduct for Building Surveyors as provided under the Fourth Schedule.
- ii. Every Building Surveyor shall, upon registration, make an undertaking to adhere and uphold the code of ethics and conduct for Building Surveyors.
- iii. No member shall conduct himself in a manner unbefitting of a Building Surveyor.
- iv. No member shall be connected with any occupation or business in any way which is in the opinion of the Board incompatible with membership of registered Building Surveyors.

### ***19. A) COMPLAINTS AND DISCIPLINE BY THE BOARD***

- i. When a complaint or allegation is made against a Building Surveyor for a breach of code of conduct or regulations or negligence of duty, then that complaint shall be made to the Board according to section 27 of the Act in writing to the Registrar who shall then refer that Complaint to the Board.
- ii. When the Board is considering the Alternative Dispute Resolution measures it will be guided by the following regulations contained in the Fifth Schedule.
- iii. Where the Board has received a complaint under paragraph 18 (i) above and is satisfied that there may be sufficient grounds to the complaint, it shall establish an ad-hoc inquiry committee to investigate the complaint.
- iv. An inquiry committee established under paragraph 19 A(iii) shall consist of:
  - a) Three registered Building Surveyors with adequate expertise in the area of inquiry appointed by the Board.

- b) Two registered Building Surveyors with expertise in the area of inquiry appointed by the Institution of Surveyors of Kenya.
  - c) Secretary to the inquiry committee appointed by the Registrar who shall be an ex-official member.
- v. Before the commencement of an inquiry, the Registrar shall send by registered post or electronic means to the last known address, a notice to the Building Surveyor or Building Surveying firm whose conduct is being inquired, stating:
  - a) The complaint against the professional Building Surveyor or Building Surveying firm.
  - b) The nature of complaint that Building Surveyor or Building Surveying firm may be required to attend and give evidence before the inquiry committee where required to do so.
- vi. The inquiry committee shall investigate the complaints within a period of four weeks of its establishment and submit a report together with its recommendations to the Board for consideration.
- vii. Subject to provisions of the Act, these Regulations and Alternative Dispute Resolution Policy, the inquiry committee shall regulate its own procedures.
- viii. Upon receipt of the report of recommendations under 19A (vii) the Board shall, where it is satisfied that there are grounds from the complaints:
  - a) Cause or charge containing the facts of the complaint alleged to have been committed by the Building Surveyor or Building Surveying firm to be sent by registered post or by electronic means to the last known address.
  - b) Require the registered Building Surveyor or Building Surveying firm to provide a written response regarding the complaint within the period of at least fourteen days from the date specified in the notice.
  - c) Request the Building Surveyor or Building Surveying firm to attend the hearing to be convened by the Board in pursuance of Section 27 of the Act.
- ix. Where the registered Building Surveyor or Building Surveying firm without reasonable excuse fails to attend the hearing convened by the Board, the Board may proceed to hear the case notwithstanding the absence of the Building Surveyor or Building Surveying firm, if the Board is satisfied that paragraph 19A (i) has been complied with and proceed to make the verdict.

**19B) ESTABLISHMENT OF APPEALS AND AD HOC DISCIPLINARY COMMITTEE**

- i. The board shall establish an appeals ad hoc committee to hear and determine appeals arising from its decision to suspend registration, decline to register an applicant or suspend or remove a person from the register.
- ii. The membership of the ad hoc appeals committee shall be five members appointed by the board from amongst its members
- iii. The chair of the committee shall be the chair to PPECC
- iv. The quorum shall be three members
- v. The ad hoc appeals committee shall meet for two to three consecutive days to hear and determine the appeal placed before it
- vi. The ad hoc disciplinary committee shall formulate its own procedures.
- vii. The ad hoc disciplinary committee shall deliver its verdict of upholding action taken by the board or setting it aside within two weeks from the date it completes hearing the appeal

**19C) An aggrieved person who will not be satisfied by the decision of the ad hoc appeal committee may seek recourse from the high court**

**20. CONTINUOUS PROFESSIONAL DEVELOPMENT**

Pursuant to section 4 (2) (i) of the Act the Board shall cause Continuous Professional Development for Building Surveyors to be held in accordance with the Sixth Schedule.

**21.** Pursuant to Sec 4(2) (a) the board shall collaborate with other professional bodies, enter into memorandum of understanding, carry out bench marking, mentorship programs, organize and attend induction courses, organize and implement public lectures and demonstrations to promote the practice of Building Surveying.

**22.** Pursuant to Sec 4(2) (b) the board in partnership with ISK and other Built Environment Professions, will prescribe the minimum requirements for admission to

the profession of Building Surveying, consider and approve qualifications of persons wishing to be registered as a Building Surveyor and contribute to the accreditation of courses mounted by education institutions for those intending to join building surveying profession.

- 23.** Pursuant to Sec 4(2)(j) the Board in collaboration with ISK, approved institutions and any other built environment professional body shall prescribe and conduct examinations for purposes of registration.
- 24.** Pursuant to Sec 4(2)(k) the Board in collaboration with institutions of higher learning, including TVET, research institutions and other professional bodies shall carry out research, produce and disseminate material information in connection with the works and activities of the Board
- 25.** Pursuant to Sec 4(2)(l) the Board in collaboration with other stakeholders shall publish and circulate any material in connection with the building surveying profession and related matters
- 26.** Pursuant to Sec 4(2)(m) the Board in collaboration with other stakeholders shall hold seminars, workshops, clinics, road shows, public barazas and other methods befitting the occasions to promote awareness and educate the public on the professional duties and responsibilities of a building surveyor
- 27.** Pursuant to Sec 4(2)(n) the Board shall publish annually in the Kenya Gazette a list of persons and firms
- 28.** Practising building surveying in Kenya not later than 25<sup>th</sup> of February of every calendar year.



REPUBLIC OF KENYA

*BUILDING SURVEYORS REGISTRATION BOARD (BSRB)*

The Building Surveyors Act No. 19 of 2018

**Application for Registration**

**Applicants Information**

- 1. Surname .....Other Names ..... (*Block letters*)
- 2. Date of Birth .....Nationality .....
- 3. ID/Passport Number .....Email:.....
- 4. Postal Address .....Code.....Town.....
- 5. Residential Address .....
- 6. Telephone No. : Office ..... Mobile No. ....
- 7. Are you ordinarily resident in Kenya? YES/No If yes, state from what date .....
- 8. Have you previously applied to the Board for Registration? YES[ ] NO [ ]  
If yes, state date(s) .....

**Academic Qualification Information**

9. Educational background (*state the name of institutions, dates attended, examining body and degree/diploma awarded and year*).

	Qualification attained	Institution	Examining Body	Start Date	Year completed	Grade Attained

**Practical Experience/Qualifications**

10. Professional examinations (*state examining body, registration No. sections/stages passed (see note 4 :)*)

	Qualification attained	Institution	Examining Body	Start Date of programme	Year completed	Grade Attained	Registration No

11. Professional experience (*state name and address of organization, dates, position(s) held and responsibilities*).

	Position	Name and address of Organization	Start Date	End Date

12. Other qualifications (*specify with dates*). .....

.....

.....

13. Affiliations – (Details on membership to other institutions) if any:

.....

.....

14. Honours/distinction received.

.....

.....

15. Articles/publications.

.....

.....

16. . I hereby declare that the foregoing statements are true in every respect. I acknowledge that any statement contained in this application which is known by me to be false shall invalidate this application. I have read the Building surveyors Act (.....). I am aware of the penalties stipulated in the Act and I understand that if registered, I shall be bound by the Act and any amendments thereto so long as my name remains in the register.

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

**FOR OFFICIAL USE**

Application No.....	Date received.....
Date acknowledged.....	Receipt No..... Date.....
Approved/Rejected Minute No.....	Deferred Minute No. ....
Date notification sent.....	Registration No.....
Gazette Notice No.....	Registrar's Signature.....
Certificate Dispatched.....	Date .....
Certificate Acknowledged.....	Chairman's Signature.....
	Date.....

All particulars set out must be completed and the declaration signed

**Notes**

1. Bankers cheques/ banking slips should be payable to the “Building Surveyors Registration Board”.
2. 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.
3. Give full details of your professional experience and employment record during the last five years starting from your present appointment.
4. If granted exemption from any sections, stages or parts of any examination this should be stated.
5. Without prejudice to the generality of the forgoing, the following documents should be attached to this application
  - a) Certified copies of Undergraduate Degree Certificate in relevant course acceptable as qualification of a building surveyor by ISK. Other qualification certificates should also be attached
  - b) A certificate of Full membership in the Building Surveyors Chapter of ISK
  - c) A letter from employer/ principal certifying applicants work experience
  - d) A certificate of Good standing from ISK
  - e) Copy of National Identity card/ Passport

Affix passport size photo

**REPUBLIC OF KENYA**

***BUILDING SURVEYORS REGISTRATION BOARD (BSRB)***

The Building Surveyors Act No. 19 of 2018

**Application for Registration in Exceptional Cases**

**Applicants Information**

Surname ..... Other Names ..... (*Block letters*)

Title: Prof, Dr. Mr. Mrs. Miss.....

Any form of Disability Yes..... No.....

Specify.....

Nationality.....

ID/Passport Number ..... Email:.....

Postal Address ..... Code..... Town.....

Residential Address .....

Telephone No.: .....

Area of Speciality.....

Date of Registration as a Building Surveyor..... Reg. Certificate No. ....

Name of Registering/Licensing Body.....

Name of Employer and Address.....

**Project Information**

Name of Client .....

Name of Project/ Works/ Services .....

Name of Registering/ Licensing Body.....

Expected date of Commencement .....

Expected date of completion .....

**Academic Qualification Information**

Educational background (*state the name of institutions, dates attended, degree/diploma awarded and year*).

	Qualification attained	Institution	Start Date	Year completed	Grade Attained

Note:

The application must be accompanied by two passport size photo, certified copies of the original Diploma/Degree Certificate, a copy of the National Identification Card or Passport all duly certified by a Commissioner of Oaths whose names and addresses are fully displayed on the rubber stamp.

Special Qualifications if Any:

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

Membership of Professional Body/ Institution

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

Current Certificate of Good Standing (From the Institution of Surveyors of Kenya)

.....

Date of Certificate.....

Practicing Experience

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

Reference

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

Payment of Application Fees.....

**DECLARATION:**

If Registered I Shall be bound as Long as My Name remains in the Register

Applicants Signature .....

Date .....

**FOR OFFICIAL USE**

Application No.....	Date received.....
Date acknowledged.....	Receipt No..... Date.....
Approved/Rejected Minute No.....	Deferred Minute No. ....
Date notification sent.....	Registration No.....
Gazette Notice No.....	Registrar's Signature.....
Certificate Dispatched.....	Date .....
Certificate Acknowledged.. ..	Chairman's Signature.....
	Date.....

**BSRB Form 2 (a)**

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**Certificate of Registration**

This is to certify that ..... is a registered Building Surveyor (BS.) in accordance with the provisions of the Building Surveyors Act No 19 of 2018.

In witness, whereof the common seal has been hereto affixed.

*Registrar*

.....

SEAL

*Chairman*

.....

Serial No.....

Date.....

BSRB Form 2 (b)

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**Certificate of Registration in Exceptional Cases**

This is to certify that ..... is a registered Building Surveyor (BS.) in accordance with the provisions of the Building Surveyors Act No 19 of 2018.

In witness, whereof the common seal has been hereto affixed.

*Registrar*

.....

SEAL

*Chairman*

.....

Serial No.....

Date.....

**BSRB Form 3**

**REPUBLIC OF KENYA**  
***BUILDING SURVEYORS REGISTRATION BOARD***  
***(BSRB)***

The Building Surveyors Act No. 19 of 2018

**The Register**

ENTRY NO.	Min No.	Date	Name and Address	Qualifications	Registration Number	Practising Cert. No.	Signature
1							Registrar..... Chairman.....
2							Registrar..... Chairman.....
3							Registrar..... Chairman.....
4							Registrar..... Chairman.....

**BSRB Form 4**

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**Practising Certificate**

This is to certify that .....is  
authorized to practice as a Building Surveyor for the period  
.....to ..... in accordance  
with the Building Surveyors Act No. 19 of 2018.

*Registrar*

.....

SEAL

Serial No.....

*Date*.....

## SECOND SCHEDULE

# REPUBLIC OF KENYA BUILDING SURVEYORS REGISTRATION BOARD (BSRB)

### The Building Surveyors Act No. 19 of 2018 Fees Payable for Registration Process

I. Application Fees	KES 10,000 (Non-Refundable)
II. Registration Fees	KES 10,000
III. Annual practising subscription fee	KES 5,000 per annum
<b>Other Fees</b>	
IV. Two day non-residential Induction Fee upon registration	KES 5,000/-
V. Replacement of lost or damaged / Defaced certificate or Issuance of Duplicate Certificate	: KES.2,000/-
VI. Certification of the certificate required by a third entity	: KES.1,000/-
VII. Registration of Persons who are none-resident in Kenya: <i>(Section 23 (1) (a) &amp;(b):</i>	
a. Application Fees	: Ksh.10,000/-
b. Registration Fees	: Ksh.10,000/-
<i>Also to cover: Persons intending to be in Kenya for not more than one year/ Registration in exceptional cases.</i>	
VIII. Reinstatement after suspension ( Section 26 (2) (b))	: Ksh.5,000/-
IX. Consulting Building Surveyors -	
Local Building Surveyors:	
(a) Application Fees	: Ksh.10,000/-
(b) Annual Practice Certificate	: Ksh.10,000/-
Foreign Building Surveyors:	
(a) Application Fees	: Ksh.20,000/-
(b) Annual Practice Certificate	: Ksh.20,000/-
X. Consulting Firms	
Local Firms:	
(a) Application Fees	: Ksh.20,000/-
(b) Annual Practice Certificate	: Ksh.20,000/-

XI. Foreign Firms:

(a) Application Fees : Ksh.20,000/-  
 (b) Annual Practice Certificate : Ksh.50,000/-

XII. Late payment of Subscription Penalty : Ksh.2,500/-

**THIRD SCHEDULE**

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**FEES TO BE CHARGED FOR BUILDING SURVEYING SERVICES**

<b>CATEGORY</b>	<b>DESCRIPTION OF SERVICES</b>	<b>OUTPUT</b>	<b>FEES CHARGEABLE</b>
<b>Project Inception</b>	a) Carrying out feasibility studies for development, redevelopment, (adaptation, refurbishment change of user and extension of use) in consultation with other built environment professionals.	Feasibility Study Report	Subject to a minimum fee of ksh 15,000
	b) Prepare advisory and Project Brief for the client (Investment and Budget).	Project Brief	Subject to a minimum fee of ksh 15,000
	c) Advising client on choice of design team	List of professional services required their roles and proposed name of firms.	Subject to a minimum fee of ksh 10,000
	d) Preparation of project brief to the design team	Project Brief	Subject to a minimum fee of ksh 10,000
<b>Project Design</b>	a) Review of preliminary design and the budget	Review report	Subject to a minimum fee of ksh 10,000
	b) Provide advisory services to the client on environmental and socio-economic impact on buildings, strategic environmental assessment	Approved report	Subject to a minimum fee of ksh 30,000 for low risk projects Subject to a minimum fee of ksh 50,000 for medium risk projects Subject to a minimum fee of ksh 100,000 for high risk projects
	c) Identifying and monitor requisite approvals	-Schedule of approvals -Progress reports	Subject to a minimum of Kshs. 15,000
	d) Provide advisory services to the client and design team on choice of	Advisory report	Subject to a minimum fee of ksh 15,000

	<p>materials.</p> <p>Provide advisory services to the client and design team on building maintenance implications during planning, design, construction, and operations.</p>		
	e) Review the final design and budget to align it to specifications in conjunction with the design team.	Design Review Report	Negotiated but subject to a minimum fee of ksh 15,000
	f) Tender documentation	Progress report	subject to a minimum fee of ksh 5,000
<b>Construction Stage</b>	<p>Attendance of site meetings and inspections.</p> <p>Undertake investigations and compile reports on compliance issues relating to building regulations, environmental and technical specifications.</p>	<p>- Progress report</p> <p>-Compliance report</p>	subject to a minimum fee of ksh 2,000 per visit
<b>Operation &amp; Maintenance Stage</b>	Preparation of Building Maintenance Manual	Building Maintenance Manual	subject to a minimum fee of ksh 15,000
	Inspect buildings for the purpose of issuance of occupancy certificate.	Occupation certificate	subject to a minimum fee of ksh 15,000
	Handing/Taking over of building on behalf of client	Taking over report	subject to a minimum fee of ksh 10,000
	Surveying/inspection for regular renewal of occupation certificates	Renewed occupation certificates	subject to a minimum fee of ksh 15,000
	Classification of building categories and Registration of buildings and tagging	Building Register	Identification and tagging ksh 2,000/= per building (for professional service only). Building inventory ksh 5,000/= per building
	Prepare, maintain, and update building register including classification and tagging.	Building Register/Asset Register	Identification and tagging ksh 2,000/= per building (for professional service only). Building inventory ksh 5,000/= per building
	<p>Property management</p> <p>As per the Estate Agent Act</p>	Reports	<p><b>Residential management</b></p> <p>10 per cent of the gross rents or less according to the circumstances but not less than 5 per cent.</p> <p><i>Commercial:</i></p> <p>7.5 per cent of the gross rents or by arrangement but not less than 2.5 per cent</p> <p><b>Residential lettings</b></p> <p>Lease up to one year 7.5%</p>

			of annual gross rent. Lease of over one year One month's rent.  <b>Commercial:</b> Sole agency 7.5% of annual gross rent. General agency 10% of annual gross rent. Fees by negotiation if management services involved but not less than half scale.
	Facilities management (TQM)	Event//Space Advisory report	Ksh 5,000/= per hour or part thereof
	Carry out Building Condition Surveys	Condition Survey Report	1 <sup>st</sup> 100 sq. meters @ Ksh 50.00. Next 500 sq. meters @ ksh 40.00. Residue @ ksh 30.00. Minimum fees Ksh 15,000
		Schedule of Repairs and Redecorations	subject to a minimum fee of ksh 10,000
		Maintenance Works Program	subject to a minimum of 1.25% of the cost of maintenance works
		Building Performance Reports	subject to a minimum fee of ksh 10,000
		Schedule of Dilapidations	1 <sup>st</sup> Ksh 100,000 at 3% Next ksh 500,000 at 2% Residue at 1.5%. Minimum fees ksh 15,000
	Maintenance project management and monitoring of building maintenance works.	Progress report	1 <sup>st</sup> 500,000 @ 5% Next 1,000,000 @ 2.5 % Residue @ 1.25%
<b>Decommissioning and change of user</b>	Determine obsolescence of buildings for purposes of redevelopment.	To check in boom	1 <sup>st</sup> 100 sq. meters @ Ksh 50.00. Next 500 sq. meters @ ksh 40.00. Residue @ ksh 30.00. Minimum fees Ksh 15,000
	Board of Survey	Board of Survey Report Demolition Certificate	Subject to a minimum fee of ksh 15,000
<b>Research &amp; Development</b>	Research on building maintenance for formulation and review of building maintenance standards.	Building Maintenance Standards	
	Formulation and review of building maintenance policies	Building Maintenance Policy	subject to a minimum fee of ksh 50,000
	Emerging technologies	Technologies Brief and analysis	subject to a minimum fee of ksh 50,000
<b>Advisory &amp; consultancy services</b>	Advising on the preservation/conservation of historical buildings and sites.	Advisory Report	An hourly rate to be negotiated and not less than Ksh. 5,000/=

	Advising on various contractual arrangements regarding Facility & Property Management	Advisory report	An hourly rate to be negotiated and not less than Ksh. 5,000/=
<b>Surveying for Insurance</b>	Surveying/ inspection for replacement cost of buildings (Assessment of replacement value of building element) on an annual basis.	Replacement Value Report	subject to a minimum fee of ksh 15,000
<b>Expert witness</b>	Giving expert advice where there is property dispute on various matters such as sick buildings, maintainability of buildings among others.	Written and Oral Submissions	Ksh 5,000/= per hour or part thereof
<b>Disbursements</b>	Travelling and accommodation Advertisements Stationery Any other payments made incidental to the project		Mileage allowance for cars shall be charged in accordance with the current rates issued by the Automobile Association of Kenya as amended from time to time and shall apply for journeys to and from destinations situated more than five miles from the building surveyor's office.  Travelling time will be charged on hourly basis.  Expenses incurred in respect of advertising for tenders; for clerks of works and other resident site staff, including the time and expense of interviewers and reasonable expenses for interviews.

**FOURTH SCHEDULE**

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**CODE OF CONDUCT FOR BUILDING SURVEYORS**

1. CITATION: This Code may be cited as the Code of Conduct and Ethics for Building Surveyors.
2. APPLICATION: This Code of Conduct and Ethics shall apply to all Building Surveyors registered under the Building Surveyor's Act 2018.

3. FUNDAMENTAL PRINCIPLES:

Every Building Surveyor shall uphold and advance the integrity, honour and dignity of the building surveying profession by:

- a) Using their knowledge and skill for the enhancement of human welfare;
- b) Being honest and impartial, and serving with fidelity the public, their employers and clients;
- c) Striving to increase the competence, prestige and profile of the building surveying professional and technical specialities of their disciplines by embracing innovative ways and technologies.

4. FUNDAMENTAL CANONS: A Building Surveyor shall;

- a) Hold paramount the safety, health, comfort and welfare of the public in the performance of their professional duties.
- b) Perform services only in the areas of their competence.
- c) Issue public statements only in an objective and truthful manner.
- d) Act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of

interest. (Do unto others that, which you would want them to do unto you, secondly do not knowingly do wrong)

- e) Build their professional reputation on the merit of their services and shall not compete unfairly with others.
- f) Act in such a manner as to uphold and enhance the honour, integrity and dignity of the profession.
- g) Continue with CPD throughout their careers and shall provide opportunities for mentorship and professional development of Building Surveyors, Technicians and Artisans under their control and supervision.

#### 5. OBLIGATIONS TO SOCIETY:

- a) A Building Surveyor shall at all times recognize that their primary obligation is to protect the safety, health, comfort and welfare of the public.  
If their professional judgement is overruled under circumstances where the safety, health, comfort and welfare of the public are endangered, they shall notify their employer or client and such other authority as may be appropriate in writing.
- b) A Building Surveyor shall approve only those works and documents which are in conformity with appropriate laws, regulations, standards and guidelines.
- c) A Building Surveyor shall not permit the use of their name or firm name nor associate in business ventures with any person or firm which they have reason to believe is engaging in fraudulent or dishonest business or professional practices.
- d) A Building Surveyor shall be objective and truthful in all professional reporting, statements or testimonies.
- e) A Building Surveyor may express a professional opinion on technical subject only when that opinion is founded upon facts, principles and competence in that subject matter.
- f) A Building Surveyor shall take all reasonable steps to avoid waste of natural resources, damage to the environment and wasteful damage or destruction of the products of human skill (He/she should be conservator of resources, human, financial, materials and the environment).

## 6. OBLIGATIONS TO EMPLOYER OR CLIENT

- a) A Building Surveyor shall act in professional matters for each employer or client as faithful agents or trustees.
- b) A Building Surveyor shall disclose all known or potential conflicts of interest which could influence or appear to influence their judgment or the quality of their services.
- c) A Building Surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties.
- d) A Building Surveyor shall not solicit or accept financial or other valuable consideration, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients for which they are responsible.
- e) A Building Surveyor shall not reveal facts, data or information obtained in a professional capacity without the prior consent of the client or employer except as authorized or required by law.
- f) A Building Surveyor in public service as members, advisors or employees of a governmental body or department shall not participate in decisions with respect to professional services solicited or provided by them or their organizations in private or public surveying practice.
- g) A Building Surveyor shall avoid improper solicitation of professional employment and shall, in the circumstances;
  - a) Falsify or permit misrepresentation of their, or their associates, academic or professional qualifications, or exaggerate their degree of responsibility.
  - b) Offer, give, solicit or receive, either directly or indirectly, any financial contribution in any amount intended to influence the award of a contract.

- h) A Building Surveyor whose professional advice is not accepted shall take all reasonable steps to ensure that persons overruling or neglecting his advice are aware of the dangers the engineer believes may result from such overruling or neglect.
- i) A practising Building Surveyor shall endeavor to understand and take all reasonable steps to inform his clients and employers of societal and environmental consequences of actions or projects in which he is involved and to interpret issues to the public in an objective and truthful manner.

#### 7. INTEGRITY OF A BUILDING SURVEYOR:

- a) A Building Surveyor shall be guided in all professional relations by the highest standards of integrity and shall:
  - i. Admit and accept their own errors/mistakes of commission or omission when proven wrong and refrain from distorting or altering the facts in an attempt to justify their decisions and
  - ii. Not accept outside employment to the detriment of their regular work or interest.
- b) A Building Surveyor shall at all times strive to serve the public interest and shall in the process: -
  - i. Seek opportunities to give constructive service in civic affairs and work for the advancement of the safety, health and wellbeing of their community and
  - ii. Endeavour to extend public knowledge and appreciation of Building Surveying and its achievements and to protect the Building Surveyor profession from misrepresentation and misunderstanding
- c) A Building Surveyor shall avoid all conduct or practice which is likely to discredit the profession or deceive the public.

#### 8. BUILDING SURVEYING PRACTICE:

- a) A Building Surveyor shall undertake assignments only when qualified by education and experience in the specific technical fields involved.

- b) A Building Surveyor shall not affix his or her signature to any plans or documents dealing with subject matter in which the Building Surveyor is not competent.
- c) A Building Surveyor engaged in private practice shall not review the work of another Building Surveyor for the same client, except with the knowledge of such other Building Surveyor, or unless the connection of such Building Surveyor with the work has been terminated.
- d) A Building Surveyor in governmental, industrial or educational employment is entitled to review and evaluate the work of other Building Surveyor when so required by their employment duties.
- e) A Building Surveyor in sales or industrial employment is entitled to make Building Surveyor comparisons of represented products with products of other suppliers.
- f) A Building Surveyor shall accept personal responsibility for all professional activities under their charge and shall: -
  - i. Conform to state registration laws in the practice of Building Surveying and
  - ii. Not use association with a non-Building Surveyor, a corporation, or partnership, as a 'cloak' for unethical acts, but must accept personal responsibility for all professional acts.

#### 9. UNFAIR MEANS:

- a) A Building Surveyor shall not compete unfairly amongst them by attempting to obtain employment or professional engagements by taking advantage of a position, or by criticizing others, or by other improper or questionable methods.
  - b) A Building surveyor shall not request, propose, or accept a professional commission under circumstances in which their professional judgment may be compromised
- c) A Building surveyor shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of others, not indiscriminately criticize their work.

- d) A Building Surveyor who believes others are guilty of unethical or illegal practice shall present such information to the proper authority for action (BSRB, ISK etc).

**10. DISCLOSURE OF INFORMATION:**

Building Surveyors shall not disclose confidential information concerning the business affairs or technical processes of any present or former client or employer without his consent.

**11. CONFLICT OF INTEREST:**

A Building Surveyor shall not be influenced in their professional duties by conflicting interests and shall not accept:-

- a) Financial or other considerations, including free services from material or equipment suppliers for specifying their product or
- b) Commissions or allowances, directly or indirectly from contractor or other parties dealing with clients or employers of the Building Surveying in connection with work for which the Building Surveyor is responsible.

**12. COMPENSATION:**

A Building Surveyor shall uphold the principle of appropriate and adequate compensation for those engaged in Building Surveying work.

**13. RECOGNITION OF PROPRIETARY INTERESTS:**

- a) A Building Surveyor shall give credit for surveying work of those to whom credit is due, and will recognize the proprietary interests of other Building Surveyor.
- b) A Building Surveyor using designs supplied by a client shall recognize that the designs remains the property of the client and may not be duplicated by the Building Surveyor for others without express permission.

14. COOPERATION, DEVELOPMENT AND ADVANCEMENT OF BUILDING SURVEYORS:

- a) A Building Surveyor shall cooperate in extending the effectiveness of the profession by interchanging information and experience with other Building Surveyors, students, and will endeavour to provide opportunity for the professional development and advancement of Building Surveyors under their supervision and in that case shall:-
  - i. Encourage Building Surveyor employees' efforts to improve their education.
  - ii. Encourage Building Surveyor employees to attend and present papers at professional and technical society meetings and
  - iii. Encourage Building Surveyor employees to become registered at the earliest possible date

15. ADVERTISEMENT OR WRITING OF ARTICLES FOR PUBLICATION:

No Building Surveyor shall in self-laudatory language or in any manner derogatory to the dignity of the Building Surveying profession, advertise or write articles for publication

16. BREACH OF CODE OF CONDUCT:

No Building Surveyor shall assist, induce or be involved in the breach of this code of conduct and ethics but shall do all necessary endeavours to support those who seek to uphold it and report immediately any unethical practices by Building Surveyors and others to the Board.

17. PENALTIES:

A Building Surveyor who fails to observe any provisions in this code of conduct and ethics shall commit an offence under the Act and shall be liable to penalties as prescribed under the Act.

**SIXTH SCHEDULE**

**REPUBLIC OF KENYA**

**BUILDING SURVEYORS REGISTRATION BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**PROCEDURES FOR CARRYING OUT CONTINUOUS PROFESSIONAL DEVELOPMENT (CPD)**

**1.0 CONTINUOUS PROFESSIONAL TRAINING AND DEVELOPMENT**

Pursuant to Section 4(2) (i) of the Act, the Board shall develop and implement continuing professional development courses for Building Surveyors guided by the following procedures:

**2.0 GENERAL REQUIREMENTS**

**2.1** Every practising Building surveyor shall obtain a minimum fifty (50) Professional development points in every calendar year which shall comprise a minimum of forty professional development points in structured activities and ten points of un-structured activities

**2.2** Where a building surveyor exceeds the annual requirement of fifty professional development points in the year under review, a maximum of fifteen excess professional development points will be carried forward into the following year.

**2.3** A Building Surveyor who has not obtained sufficient professional development points in the year under review shall not be allowed to renew his annual practising license.

**2.4** Where a Building Surveyor fails to meet the prescribed professional development points, requirements or has not submitted returns for three consecutive years, the Board shall remove his/her name from the register.

**2.5** A Building Surveyor whose name has been removed from the register under the above paragraph 2.4 shall be required to obtain sixty professional development points within one year before reinstatement.

**2.6** A Building Surveyor may be exempted from continuous development requirement if he/she experiences disabilities, prolonged illness or other extenuating circumstances which prevent his/her from practising.

**3.0 RECORDS**

Every Building Surveyor shall submit to the Board their annual Continuous Professional Development activities in the format provided in appendix No 1: CPD RECORD SHEET; not later than 31<sup>st</sup> of January of every year under review for assessment.

3.1 The Board shall recognize the following structured activities as contributing to the professional development of practising Building Surveyors as prescribed by the Board from time to time (3.1.1 to 3.1.4 of our document) (formal activities, participation, presentations, contribution to knowledge and work based activities)

3.2 The Board shall recognize un-structured activities as contributing to the professional development of practising Building Surveyor as prescribed and approved by the Board and may include but not limited to the following informal activities:- (3.2.1 of the document on Guidelines and CPD policy)

- Self-directing study
- Attendance at conferences and industry trade shows
- Attendance at seminars, technical presentations, facilitated technical field trips and tours
- Attendance at meetings of technical or professional issues with one's peers

#### **4.0 ACCREDITATION**

4.1 Any person or institution wishing to provide an approved activity of continuous professional development in nature in a calendar year shall apply in writing to the Board to become an accredited provider upon payment of the requisite fees ( to be determined by the Board from time to time)

4.2 On exceptional cases, the Board may consider requesting specific and identified provider to undertake a C.P.D activity such provider will be chosen by the Board for specific area of competence. In such circumstances, payment of requisite fees may be waived

4.3 On exceptional circumstances/cases, the Board may consider a request from a Building Surveyor who wishes to claim CPD units for participating in an activity that is not provided for by the Board or accredited provider.

4.4 If a Building Surveyor wishes to claim CPD units for participating in an activity that is not provided for by the Board or any accredited provider, the Building Surveyor shall apply in writing to the Board.

4.5 The building surveyors will be entitled to award of CPD points when they participate in forums organized by stakeholders in the Construction Industry and the Built Environment.

**APPENDIX 1: CPD RECORD SHEET**

NAME:	MEMBER NO.:
FROM (DD/MM/YY):	TO (DD/MM/YY):

**Formal Activity – 1PDU per 1 Hour**

DATE (DD/MM/YY)	DESCRIPTION/TITLE OF COMPLETED ACTIVITIES	ORGANIZER/PROVIDER	VALUE		
			PDU's EARNED	PDU's CLAIMED	CARRY OVER TO NEXT PERIOD
PERIOD SUBTOTAL					

PDU's/year that may be claimed, 30 max

**Participation – 1PDU per 1 Hour**

DATE (DD/MM/YY)	DESCRIPTION/TITLE OF COMPLETED ACTIVITIES	ORGANIZER/PROVIDER	VALUE		
			PDU's EARNED	PDU's CLAIMED	CARRY OVER TO NEXT PERIOD
PERIOD SUBTOTAL					

PDU's/year that may be claimed, 10 max

**Presentation – 1PDU per 1 Hour**

DATE (DD/MM/YY)	DESCRIPTION/TITLE OF COMPLETED ACTIVITIES	ORGANIZER/PROVIDER	VALUE		
			PDU's EARNED	PDU's CLAIMED	CARRY OVER TO NEXT PERIOD
PERIOD SUBTOTAL					

PDU's/year that may be claimed, 15 max

**Contributions to Knowledge – 10PDUs per year – Limits apply**

DATE (DD/MM/YY)	DESCRIPTION/TITLE OF COMPLETED ACTIVITIES	ORGANIZER/PROVIDER	VALUE		
			PDU's EARNED	PDU's CLAIMED	CARRY OVER TO NEXT PERIOD
PERIOD SUBTOTAL					

PDU's/year that may be claimed, 20 max

**Informal Activity – 1PDU per 1 Hour**

DATE (DD/MM/YY)	DESCRIPTION/TITLE OF COMPLETED ACTIVITIES	ORGANIZER/PROVIDER	VALUE		
			PDU EARNED	PDU CLAIMED	CARRY OVER TO NEXT PERIOD
PERIOD SUBTOTAL					

PDUs/year that may be claimed, 10 max

<b>TOTAL FOR ALL ACTIVITIES DURING ANNUAL PERIOD</b>			
<b>TOTAL HOURS CARRIED FORWARD FROM PREVIOUS YEARS</b>			
<b>TOTAL HOURS CLAIMED FOR THIS PERIOD</b>			

**Record keeper**

Name: .....

Sign: ..... Date: .....

**SEVENTH SCHEDULE**

**REPUBLIC OF KENYA**  
**BUILDING SURVEYORS REGISTRATION**  
**BOARD (BSRB)**

The Building Surveyors Act No. 19 of 2018

**BUILDING MAINTENANCE MANUAL CHECKLIST**

<b>GENERAL INFORMATION</b>		
Name and physical address of Building		
Name and address of the owner		
Date of Inspection		
Building Surveyor		
Proprietorship/Ownership/Tenure details		
L.R Number		
Location plan		
Sketch site plan		
Number of levels/floors		
Gross area of Building as Currently Configured		
Description of main usage of building		
Date of completion		
Name of original architect/service engineers and contractor		
Tenancy Status.....		
<b>BUILDING STRUCTURE</b>	<b>CONDITION</b>	<b>REMARKS</b>
Foundations/Slabs		
Columns/Beams		
Structural walls		
Ground floor		
Upper floors		
Roof structure		
Stairs/fire escape		
General Remarks		
<b>ROOFING</b>		
Type of roof		
Roof covering		
Flashing		

Gutters		
Soffits		
Down pipes		
Roof protection		
Domes		
Other		
General Remarks		
<b>BUILDING EXTERIOR</b>		
Exterior walls		
Exterior doors		
Exterior windows		
Exterior columns/Beams		
Fire escapes		
Corridor railings and posts		
Other		
General remarks		
<b>BUILDING INTERIOR</b>		
Floor covering		
Interior columns/Beams		
Interior walls		
Ceilings		
Interior doors		
Window glazing		
Other		
General remarks		
<b>PLUMBING</b>		
Water Supply		
Water storage		
Fittings/Fixture		
Water collection		
Sewer line		
Septic tank		
Other		
General Remarks		
<b>ELECTRICAL</b>		
Service entrance cable		
Main panel box		
Circuits and conductors		
Outlets and switches		
Interior lighting		
Exterior/Security lights		
Electrical equipments		
General Remarks		
<b>BUILDING GROUNDS</b>		
Courtyard/Main Entrance		
Sidewalks /Walkways		

Parkings/Driveways		
Retaining walls		
Gardens		
Fencing		
Others eg. Drains		
General Remarks		
<b>FURNITURE/EQUIPMENT</b>		
Desks/Chairs		
Boards		
Electrical equipment		
Computers		
Educational material		
Office stores		
Others		
General Remarks		
<b>BUILDING SERVICES</b>		
Fire safety		
Security		
IT services		
Ventilation		
Heating		
Cooling		
Lifts and escalators		
Pumps		
Generators		
Solar PVs		
Power supply		
Waste disposal		
Recreational		
Sports grounds		
Health		