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INSTITUTION OF ENGINEERS OF KENYA (IEK)

LEGISLATIVE AND REGULATION COMMITTEE TERMS

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AMENDMENT SHEET

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1 INTRODUCTION

The Constitution and Bylaws of IEK provide that the Council may establish committees to undertake specific functions on behalf of Council to further the aims and objects of the Institution.

Accordingly, the Council at its 495th meeting held on 28th April 2022 established a committee to be known as the Legislation and Regulations Committee

The Committee may establish sub-committees to assist it in the conduct of its business provided that the Council approves such action.

2 PURPOSE

The overall purpose of the IEK Legislation and Regulation Committee (LARC) is to monitor and analyze legislative and regulatory developments and identify deficiencies in existing laws and regulations relating to the enhancement, promotion and protection of the interests of engineering profession locally and internationally. The Committee will propose policy recommendations to the Council, advocate IEK's policy positions to relevant government officials, industry stakeholders, international players and drafts and review proposed legislation, international treaties and/or regulations.

The Committee will pay particular attention to –articulation for drafting/review of bills, laws, and regulations at County, National, Industry and International levels to realize the preservation, inclusion, enhancement, promotion and protection of engineers' interests.

3 RELEVANT APPLICABLE STRATEGIC GOALS

The Strategic Plan 2019- 2023 seeks to position IEK as an effective platform for the delivery of an exciting value proposition to its members, thereby attracting and retaining members. The IEK Legislation and Regulations Committee will contribute towards achievement of the following strategic goals drawn from the IEK Strategic Plan 2019-2023:

- a) **Strategic Goal 1: Grow IEK Membership to 20,000 by 2023;** The Committee will
Legislation and Regulation Committee Terms of Reference

support achievement of this goal by establishing a structured mentorship framework that will facilitate seamless transition of membership class, from Graduate Member to Corporate Member and finally to Fellow.

- b) **Strategic Goal 2: Relevance;** The Committee will create partnerships and collaborations with other entities as necessary to advance the objective of delivering quality Legislation and Regulations programs, implement CSR programs and voluntary schemes that promote its objectives as well as programs that promote re-positioning of IEK as the ‘Go-to’ Institution for matters infrastructure.
- c) **Strategic Goal 3: Expertise;** Engineering expertise and competence will be founded on a well-designed Continuous Development Program that is tailored to fulfill the needs of all levels of Engineers in the country. This is central to all the other Strategic goals highlighted above.

4 RESPONSIBILITIES AND FUNCTIONS

The responsibilities and primary functions of the Committee are to: -

- i. Identification of the relevant bills, laws and regulations that are significant to the engineering profession.
- ii. Review existing legislation and regulations at County levels and National level and draft amendments for onward presentation to the Clerks at both County Assemblies and National and Senate Assemblies as are deemed for good of the engineering practice and engineers welfare.
- iii. Draft bills of amendments or adoption at both County and National Assemblies and collaborate and lobby with relevant entities including but not limited to Members of County Assemblies, Governors, Members of Parliament, Senators and Cabinet Secretaries.
- iv. Monitor, follow up, lobby and champion until enacted into law of such Bills and Regulations that have been initiated and or are of interest and value to the Engineering fraternity and its practice including the general stakeholders of IEK.
- v. Work closely with the Clerks of County and National Assemblies and monitor such bills that touch on directly or indirectly to the welfare of engineers and the overall engineering practice to promote relevance, inclusion, visibility, protection and

professional standing of the engineering practice.

- vi. Review of past laws (legislation & regulations to identify areas of interest and/or concern to members/IEK and make recommendations to address
- vii. To anticipate any new laws (legislation & regulations) of interest and concern to members/IEK and make recommendations to address
- viii. Initiate/ propagate the formulation of favourable laws (legislation & regulations or policies, etc) in the interest of Engineers and promotion of their welfare and overall development.

5 MEMBERSHIP AND COMPOSITION

The Committee shall comprise of at most 7 members of good standing at the level of Fellow, Corporate or Graduate with relevant academic qualification and experience that will enable them contribute optimally to the mandate of the Committee. The membership may also include members from industry, engineering professional bodies and the academia. At least one member will be a Graduate Engineer.

Further, the composition of the Committee will reflect as much as possible the diversity objectives of IEK pertaining to engineering discipline, gender, disability, culture and geographical location.

An officer from IEK Secretariat formally assigned by the CEO shall attend all meetings of the Committee and provide secretariat and logistical support.

The Committee shall appoint one of the members as the Committee Secretary.

6 TENURE OF COMMITTEE

The term of the committee shall be two (2) years and shall be aligned to the term of the Council.

7 CHAIRPERSON

The Chairperson and the Vice-Chairperson of the Committee shall be appointed in a duly constituted Council meeting from among the current Council members.

In the event that both the Chair and the Vice Chair are absent the Committee may elect one of the other members of the Committee to chair the meeting.

8 MEETINGS OF COMMITTEE

The Committee shall meet at least once a month and at any other time as shall be decided if there are any matters of urgency requiring to be addressed.

Meetings shall be either virtual or physical depending on the circumstances.

An annual schedule of planned meetings of the Committee shall be prepared and submitted by 31st December of each year. The schedule shall be reviewed on a quarterly basis and be updated as necessary or as required by the Secretariat. Every effort will be made to co-ordinate with the members to maximize attendance.

Where possible, at least seven (7) working days' notice of any unplanned in-person meeting shall be provided to all members. Where possible, at least three (3) working days' notice of any technology-based meeting shall be provided to all members for any such unplanned meeting.

The quorum of a Standing Committee for the purpose of conducting business will be at least 50% of the members of the Committee. A decision of the majority of the members present at any meeting shall constitute the decision of the Committee. In the event of an equal number of votes, the person presiding the meeting shall have a casting vote.

IEK Executive Committee members are eligible to attend meetings of the Committee on request and are entitled to receive a copy of any documentation in advance of the meeting.

All the Committee meetings shall be recorded by the Secretary of the Committee. The Minutes shall be circulated to the members within three (3) days.

The Secretary will forward the minutes/circular to the Chairperson of the Committee for approval prior to circulation. The Secretary will forward the approved minutes/ circular to the Hon Secretary for circulation to Council.

Any Member who has not attended three or more consecutive Committee meetings (Physical or Virtual) spanning a period of more than six months, and has not contributed to the work of the committee outside meetings during the same period, may be considered as being eligible for

removal from the Committee.

9. CONFLICT OF INTEREST

Members of the Committee must comply with their legal, statutory and fiduciary duties and policy obligations, when discharging their responsibilities as members of the Legislation and Regulations Committee. The Secretariat shall provide information to assist Committee members as appropriate to perform their functions.

Members of the Committee shall act in good faith and in the best interests of IEK as a whole, act with care and diligence and for proper purpose as per IEK policies.

Members of the Committee shall disclose to the Chair and/or the Committee any actual, perceived or potential conflicts of interest which may exist as soon as the Committee Member becomes aware of any such issue and shall recuse themselves from discussions and or decisions which may involve that conflict.

9 CONFIDENTIALITY AND NON- DISCLOSURE

All members of this committee SHALL NOT disclose any content of the Committee proceedings to anyone whatsoever.

10 INDEPENDENT EXPERT

Subject to approval of the Council, the Committee may request the CEO to engage independent expert panelists in emerging engineering disciplines where the Council may lack local expertise.

11 TASK GROUP

The LAR Committee may appoint Task Groups or Adhoc committees from within its membership to support the Committee or to address specific areas of the Committee's work and to undertake detailed tasks prescribed by the Committee. Task Groups may be established on a standing basis or for a limited time, to function under the same TOR of the MC committee. A Schedule of formed Task Groups shall be compiled and submitted with the annual report to the Executive Committee using the prescribed formats in Appendix 1.

12 SUB-COMMITTEES

The committee may establish such sub-committees as they consider necessary to effectively deliver on its mandate. The Terms of Reference of such sub-committees shall be subservient to those of this committee.

13 AUTHORITY

The Committee has no authority to incur expenditure without prior Council approval. Should there be urgent need to incur expenditure under exceptional or unforeseen circumstances, the matter shall be raised with the Executive Committee in the first instant for consideration and approval.

14 REVIEW OF TERMS OF REFERENCES

The Committee may review this Terms of Reference whenever need arises, but at least in every two years. The Committee shall recommend any changes proposed to the Terms of Reference to the IEK Council for its approval.

15 ADMINISTRATION

The IEK Secretariat CEO, in conjunction with the duly assigned officer, shall provide the administrative support necessary for the smooth running of the Committee.

16 REPORTING

The Committee reports to the Council and will submit the following reports for approval:

Deliverables/outputs

1. Annual operations budget and work plan by 31st Dec of each year
2. Report on Committee Activities
3. Any other report, as the Committee deems necessary.

17 APPENDICIES

Appendix 1: Schedule of Working Groups/ Sub-Committees

Number	Title	Purpose or Scope of Activity

Appendix 2: Committee Nomination Proforma Curriculum Vitae

GENERAL INFORMATION

Name:

Date of Birth:

ID number:

County:

PROFESSIONAL REGISTRATION

IEK membership number:

Other Professional affiliations:

Academic qualifications and year attained:

Years of experience post-qualification:

PROFESSIONAL EXPERIENCE

Area of Specialization:

Keys Experience: (Brief summary of most important work during the stages of your career)

INVOLVEMENT IN THE PROFESSION

Contribution to IEK Council, Professional Associations, and Societies (local and international).

KEY RELEVANT ATTRIBUTES AND CONTRIBUTION TO OFFER TO THE NEW COUNCIL/COMMITTEE

(Why you should be appointed)