REPUBLIC OF KENYA

KENYA ENGINEERING TECHNOLOGY REGISTRATION BOARD

REGULATORY IMPACT ASSESSMENT (RIA)

ENGINEERING TECHNOLOGY (REGISTRATION, LICENSING AND COMPLIANCE) RULES, 2026

JUNE, 2026

Contents

This Regulatory Impact Assessment (RIA) evaluates the proposed Engineering Technology (Registration, Licensing and Compliance) Rules, 2026, developed pursuant to section 49 of the Engineering Technology Act (Cap. 530A). The Rules are intended to operationalize the statutory framework governing the regulation of engineering technology professionals and firms in Kenya by establishing clear procedures for registration, licensing, compliance and disciplinary oversight.

The need for the Rules arises from identifiable regulatory gaps in the current framework. While the parent Act provides the legal basis for regulation, it does not prescribe detailed procedures for admission into the profession, licensing of practitioners, continuing professional development or enforcement of professional standards. This has resulted in inconsistencies in application processes, weak compliance mechanisms, limited accountability and exposure to unqualified or unlicensed practice. These deficiencies pose risks to public safety, infrastructure quality and overall economic performance.

The Rules therefore introduce a comprehensive, rules-based framework covering the full professional lifecycle. They establish structured processes for registration of individuals and firms, including preliminary review, professional assessment and Board determination. They provide for the issuance and renewal of practicing licenses, linked to mandatory continuing professional development requirements. They further establish a formal complaints and disciplinary mechanism, enabling the Kenya Engineering Technology Registration Board to receive, review and determine complaints and impose sanctions where appropriate. The Rules also provide for the maintenance of an accessible register of professionals and firms, enhancing transparency and public confidence.

In assessing policy alternatives, four options were considered, namely maintaining the status quo, adopting self-regulation, implementing administrative guidelines and establishing a comprehensive regulatory framework through subsidiary legislation. The analysis demonstrates that the status quo fails to address existing deficiencies, self-regulation lacks institutional and enforcement capacity and administrative guidelines do not provide sufficient legal certainty. The proposed Rules represent the most appropriate and effective option, as they provide a legally enforceable, transparent and comprehensive regulatory framework aligned with constitutional and statutory requirements.

The cost–benefit analysis indicates that the Rules will impose direct compliance costs on practitioners and firms, primarily through application fees, licensing fees, professional assessment fees and continuing professional development requirements. Based on indicative modelling, the total annual compliance cost across the sector is estimated at approximately KShs. 40–45 million. These costs are structured and proportionate, with higher fees applied to consulting firms and senior professionals and lower fees applied

to candidates, technicians and artisans.

The administrative costs to the Kenya Engineering Technology Registration Board will include staffing, digital systems, examination administration and disciplinary processes. However, the prescribed fee regime provides a credible basis for cost recovery, with projected annual revenue sufficient to support core regulatory functions.

The economic and social benefits of the Rules are substantial. The regulatory framework is expected to improve the quality and safety of engineering works, reduce the incidence of technical failures, enhance investor confidence and support the formalization of the sector. The mandatory continuing professional development framework will strengthen human capital development and ensure that practitioners remain current in technical, ethical and safety standards. The Rules will also enhance consumer protection and public safety by ensuring that only qualified and licensed persons undertake engineering technology work.

The implementation of the Rules will require strengthening of KETRB's institutional capacity, including the development of digital systems for registration, licensing and CPD tracking, as well as effective disciplinary and compliance mechanisms. A phased implementation approach is recommended, beginning with institutional readiness and stakeholder sensitization, followed by transitional registration and licensing and culminating in full enforcement.

A monitoring and evaluation framework has been proposed to track key performance indicators, including registration efficiency, licensing compliance, CPD uptake, disciplinary effectiveness and transparency of the public register. This will enable continuous assessment of the effectiveness of the Rules and inform future regulatory improvements.

In conclusion, the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 are necessary, proportionate and economically justified. They provide a coherent and enforceable framework for regulating the engineering technology profession, strengthen public safety and support national development objectives. Their adoption is therefore recommended.

CHAPTER ONE: INTRODUCTION AND POLICY CONTEXT

The Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 are proposed pursuant to section 49 of the Engineering Technology Act (Cap. 530A), with the objective of operationalizing the statutory framework governing the regulation of engineering technology professionals and firms in Kenya.

The Rules emerge within a broader policy and regulatory context characterized by increasing demand for professional accountability, public safety assurance and standardization of technical competencies in infrastructure development, industrialization and emerging technological sectors. Engineering technology professionals occupy a critical interface between design and implementation, and their work directly affects the safety, quality and sustainability of public and private infrastructure. However, prior to these Rules, the regulatory architecture has remained fragmented, with limited procedural clarity on registration, licensing, compliance enforcement and disciplinary mechanisms.

The Rules therefore seek to cure a structural regulatory gap by introducing a comprehensive, rules-based system governing the full professional lifecycle of engineering technology practitioners — from entry into the profession through registration, to continued practice through licensing and professional development, and ultimately to accountability through disciplinary processes.

From a constitutional perspective, the Rules give effect to Article 46 on consumer protection and Article 42 on the right to a clean and healthy environment by ensuring that engineering works are undertaken by competent and accountable professionals. They also align with Article 232 on values and principles of public service, particularly in promoting high standards of professional ethics, accountability and transparency. In addition, the Rules operationalize statutory provisions under the parent Act, particularly sections relating to registration (sections 18–23), licensing (section 28), disciplinary processes (section 44) and professional standards.

The policy rationale underpinning the Rules is threefold. First, there is a need to formalize and standardize professional entry requirements across multiple cadres of engineering technology personnel, including technologists, technicians, artisans and consulting firms, as reflected in Part II of the Rules. Secondly, there is a need to establish a continuous compliance framework through licensing and continuing professional development, as provided under Part III. Thirdly, there is a need to strengthen enforcement and accountability through structured complaint handling and disciplinary procedures under Part IV.

A notable feature of the Rules, as seen from the structure on pages 1–2 of the document, is their comprehensive coverage of the regulatory continuum, incorporating registration procedures, licensing conditions, compliance obligations, disciplinary processes and

detailed schedules on forms and fees. This reflects a deliberate shift from a principle-based regulatory approach under the Act to a rules-based operational framework capable of supporting day-to-day regulatory administration.

In economic and sectoral terms, the Rules are introduced at a time when Kenya is undertaking large-scale infrastructure investments in transport, energy, housing and industrial development. The effectiveness of these investments depends significantly on the competence and integrity of technical personnel. Weak regulation in this space exposes the economy to risks including substandard works, project failures, safety incidents and increased lifecycle costs of infrastructure. The Rules therefore serve not only as a professional regulation instrument but also as an economic safeguard mechanism.

At the institutional level, the Rules strengthen the role of the Kenya Engineering Technology Registration Board (KETRB) as the primary regulatory authority, by providing it with clear procedural mandates on application processing, examinations, licensing, compliance monitoring and disciplinary action. This is evident in multiple provisions, including rules on application review timelines, Board decision-making processes and maintenance of registers.

In summary, the proposed Rules represent a necessary and timely intervention to operationalize the Engineering Technology Act and to establish a coherent, enforceable and transparent regulatory framework for the engineering technology profession. They respond to identified gaps in the current system, align with constitutional and statutory imperatives and support broader national development objectives.

CHAPTER TWO: PROBLEM STATEMENT AND OBJECTIVES

Problem statement

The development of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 is anchored on a clear and demonstrable regulatory problem within the engineering technology sector in Kenya. While the Engineering Technology Act (Cap. 530A) establishes the legal basis for regulation, it does not, in its current form, provide sufficient procedural and operational clarity to ensure effective regulation of professionals and firms.

The absence of detailed rules has resulted in a number of systemic challenges, which collectively undermine the integrity, efficiency and accountability of the profession.

At the core of the problem is the lack of a standardized and transparent registration framework. Although the Act provides for categories of professionals and eligibility criteria, there has been no uniform procedure governing application, assessment, timelines for decision-making and issuance of certificates. This has created inconsistencies in how applications are handled and has exposed the process to delays and administrative discretion. The Rules directly respond to this gap by introducing a structured application process, preliminary review timelines and Board consideration procedures, including mandatory timelines for communication of decisions.

Closely linked to this is the absence of a robust professional assessment mechanism. Prior to these Rules, the process for evaluating competence, particularly for progression into professional categories, has not been clearly codified. The introduction of a formalized professional assessment examination framework, including provisions on examination administration, re-sits and sanctions for malpractice, addresses this regulatory deficiency and enhances the credibility of the profession.

A second major problem relates to weak licensing and compliance controls. The existing framework does not adequately enforce the requirement that only duly licensed professionals should practice. This has led to instances of unlicensed practice, inconsistent renewal practices and inadequate tracking of professional compliance. The Rules establish a comprehensive licensing regime, including application procedures, renewal requirements and mandatory continuing professional development (CPD). In particular, the requirement for annual CPD certification introduces a continuous competence assurance mechanism that was previously absent.

The third critical issue is the lack of an enforceable compliance and disciplinary framework. While the Act provides for disciplinary action, the procedural pathway for lodging complaints, conducting preliminary review and determining cases has remained unclear. This has limited the effectiveness of enforcement and undermined public confidence in the regulatory system. The Rules address this gap by setting out detailed procedures for complaint lodgement, preliminary screening, Board determination and imposition of sanctions.

Further, the sector has faced challenges arising from the absence of a comprehensive

register and accessible regulatory information system. Without a properly maintained and accessible register of professionals and firms, it has been difficult for clients, employers and regulators to verify credentials and compliance status. The Rules introduce provisions for maintaining an updated register, including status indicators such as active, suspended or cancelled registration, and provide for public access upon payment of a prescribed fee.

Another dimension of the problem is the inadequate regulation of engineering technology firms, particularly consulting entities. The absence of clear requirements for firm registration, ownership structures and service offerings has limited oversight of corporate actors within the sector. The Rules fill this gap by establishing a formal registration framework for consulting firms, including documentation requirements and Board approval processes.

From an economic perspective, these regulatory deficiencies translate into tangible risks. Poorly regulated professional practice can result in substandard engineering works, increased infrastructure maintenance costs, project failures and, in extreme cases, loss of life. The absence of a strong regulatory framework also undermines investor confidence in the sector, particularly in large-scale infrastructure and industrial projects where technical assurance is critical.

From a governance standpoint, the lack of procedural clarity has constrained the effectiveness of the Kenya Engineering Technology Registration Board (KETRB) in discharging its mandate. Without clear rules, the Board's decisions may be exposed to legal challenge on grounds of procedural unfairness or administrative arbitrariness, contrary to Article 47 of the Constitution on fair administrative action.

The problem is therefore not merely one of administrative inefficiency but one that touches on public safety, economic performance, professional integrity and constitutional compliance.

Objectives of the Regulations

In response to the identified challenges, the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 pursue a set of clearly defined regulatory objectives.

The primary objective is to establish a coherent, transparent and standardized framework for the registration of engineering technology professionals and firms. This is intended to ensure that only qualified individuals and entities are admitted into the profession, thereby safeguarding professional standards.

A second objective is to introduce an enforceable licensing regime that ensures continuous compliance and competence. Through the requirement for practicing

licenses and mandatory continuing professional development, the Rules seek to guarantee that professionals maintain up-to-date skills and adhere to evolving technical and ethical standards.

The third objective is to strengthen accountability and enforcement through a structured complaints and disciplinary mechanism. By providing clear procedures for handling complaints and imposing sanctions, the Rules enhance the credibility of the regulatory system and protect the public from professional misconduct and incompetence.

A fourth objective is to enhance transparency and public access to regulatory information, particularly through the establishment and maintenance of an accessible register of professionals and firms.

A fifth objective is to support the effective operationalization of the Engineering Technology Act, by translating its broad statutory provisions into practical, implementable procedures that can be consistently applied by the Board.

Finally, the Rules seek to align the regulation of engineering technology practice with national development priorities, particularly in infrastructure development, industrialization and public safety, by ensuring that technical services are delivered by competent and accountable professionals.

In sum, the problem addressed by the Rules is both structural and systemic, and the objectives are designed to provide a comprehensive regulatory response that strengthens the profession, protects the public and supports economic development.

CHAPTER THREE: POLICY OPTIONS AND ALTERNATIVES ANALYSIS

The formulation of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 necessitated a careful consideration of alternative policy approaches to addressing the regulatory gaps identified in Chapter Two. The Regulatory Impact Assessment process requires not only justification of the preferred regulatory option but also a demonstrable evaluation of plausible alternatives, including non-regulatory and less intrusive interventions.

In this regard, four principal policy options were considered, namely: maintaining the status quo, adopting a self-regulatory model, implementing a partial regulatory framework through administrative instruments and adopting a comprehensive rules-based regulatory framework as proposed.

Option 1: Maintaining the Status Quo (No Regulatory Intervention)

Under this option, the Engineering Technology Act would continue to operate without detailed subsidiary legislation, leaving the Kenya Engineering Technology Registration Board (KETRB) to rely on internal administrative procedures and general statutory provisions.

At first glance, this approach would avoid immediate regulatory costs associated with compliance, administration and enforcement. It would also minimize the burden on practitioners and firms by preserving the existing operational flexibility.

However, a deeper analysis reveals that maintaining the status quo would perpetuate the very challenges the Rules seek to address. The absence of clear procedures would continue to result in inconsistencies in registration and licensing decisions, delays in processing applications and potential exposure to legal challenges on grounds of procedural unfairness. The lack of a codified examination and competence assessment framework would undermine the credibility of professional qualifications, while weak enforcement mechanisms would allow unlicensed or unqualified persons to continue practicing.

From a public interest perspective, this option presents significant risks. Engineering technology services directly impact infrastructure safety, environmental integrity and public welfare. Failure to regulate the profession adequately could lead to substandard works, increased maintenance costs and heightened risk of accidents or structural failures.

In economic terms, the status quo would undermine investor confidence in the engineering and construction sectors, particularly in large-scale projects where assurance of professional competence is critical. It would also weaken Kenya's competitiveness in

regional and international markets by failing to align with global best practices in professional regulation.

Accordingly, the status quo option is not viable as it fails to address the identified regulatory deficiencies and exposes the public and the economy to continued risk.

Option 2: Self-Regulation by the Profession

This option would involve delegating regulatory responsibility to professional associations or industry bodies, allowing them to develop and enforce their own standards, codes of conduct and disciplinary mechanisms.

Self-regulation has certain theoretical advantages. It promotes professional ownership of standards, allows for flexibility and responsiveness to industry developments and may reduce direct administrative costs to government. In some sectors, particularly those with strong and mature professional bodies, self-regulation can be effective.

However, in the context of engineering technology in Kenya, this option presents significant limitations. The sector comprises multiple cadres, including technologists, technicians, artisans and firms, with varying levels of organization and professional cohesion. There is no single, unified professional body with the institutional capacity to regulate the entire spectrum of practitioners.

Moreover, self-regulation raises concerns regarding accountability and conflict of interest. Professional bodies may be reluctant to impose stringent sanctions on their own members, thereby undermining enforcement. This is particularly problematic in sectors where public safety is directly implicated.

From a constitutional perspective, reliance on self-regulation may also fall short of the State's obligation to protect consumers and ensure public safety under Articles 46 and 42. The State cannot fully abdicate its regulatory responsibility in a sector with significant public interest implications.

Additionally, self-regulation would not adequately address the need for a centralized and publicly accessible register of practitioners, nor would it ensure uniform standards across the sector.

For these reasons, while self-regulation may play a complementary role, it is insufficient as a standalone regulatory approach.

Option 3: Partial Regulation through Administrative Guidelines

Under this option, the KETRB would develop and implement administrative guidelines, circulars or internal policies to govern registration, licensing and compliance processes, without formalising these provisions in subsidiary legislation.

This approach offers a degree of flexibility and can be implemented relatively quickly without undergoing the formal legislative process required for statutory instruments. It

allows the Board to respond to emerging issues and adjust procedures as necessary.

However, the limitations of this option are significant. Administrative guidelines lack the force of law and are therefore not legally binding on practitioners. This weakens enforceability and limits the Board's ability to impose sanctions or compel compliance.

Furthermore, reliance on non-binding instruments exposes the regulatory framework to legal uncertainty. Decisions made based on internal guidelines may be challenged in court for lack of a clear legal basis, particularly in light of Article 47 of the Constitution, which requires administrative action to be lawful, reasonable and procedurally fair.

This option also fails to provide the level of transparency and predictability required in a professional regulatory framework. Practitioners and firms require clear, legally enforceable rules governing their rights and obligations, particularly in areas such as licensing, disciplinary action and fees.

In addition, key elements such as the prescription of fees, establishment of formal disciplinary procedures and imposition of sanctions require a statutory basis and cannot be effectively implemented through administrative instruments alone.

Accordingly, while administrative guidelines may supplement the regulatory framework, they cannot substitute for formal regulations.

Option 4: Comprehensive Rules-Based Regulatory Framework (Preferred Option)

The fourth option involves the adoption of a comprehensive set of Rules, as proposed in the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026, to operationalize the provisions of the Act.

This approach provides a legally enforceable framework governing all aspects of professional regulation, including registration, licensing, continuing professional development, compliance monitoring and disciplinary processes. As reflected in the structure of the Rules, the framework covers the full professional lifecycle and incorporates detailed procedural provisions, prescribed forms and fee schedules.

The advantages of this option are substantial. First, it enhances legal certainty by clearly defining the rights and obligations of practitioners and firms. Secondly, it strengthens accountability by providing enforceable mechanisms for compliance and discipline.

Thirdly, it promotes transparency through the establishment of standardized procedures and publicly accessible registers.

From an institutional perspective, the Rules empower the KETRB to effectively discharge its mandate by providing clear procedural authority and reducing administrative discretion. This enhances the Board's capacity to regulate the profession in a consistent and defensible manner.

Economically, the Rules contribute to improved quality and safety of engineering works, thereby reducing long-term costs associated with defects, failures and maintenance. They also enhance investor confidence by ensuring that projects are undertaken by qualified and licensed professionals.

While this option introduces compliance costs, including fees and administrative requirements, these costs are proportionate to the benefits of improved professional standards, public safety and economic efficiency. Moreover, the structured fee regime, as set out in the Second Schedule, provides predictability and supports the sustainability of the regulatory system.

From a constitutional standpoint, this option best aligns with the State's obligations to protect consumers, ensure public safety and promote good governance.

Conclusion on Policy Options

Having considered the available policy options, it is evident that the comprehensive rules-based regulatory framework represents the most appropriate and effective approach to addressing the identified regulatory gaps.

The status quo fails to resolve existing deficiencies, self-regulation lacks the necessary institutional and enforcement capacity and administrative guidelines do not provide sufficient legal certainty or enforceability. In contrast, the proposed Rules offer a balanced and proportionate regulatory response that strengthens professional standards, protects the public and supports economic development.

The adoption of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 is therefore justified as the preferred policy option.

CHAPTER FOUR: IMPACT ANALYSIS

This chapter assesses the likely economic, social, legal and institutional effects of the proposed Engineering Technology (Registration, Licensing and Compliance) Rules, 2026. The analysis proceeds on the basis that the Rules are not merely administrative instruments but a substantive regulatory intervention intended to structure entry into practice, regulate continued professional competence, protect the public and support orderly development of the engineering technology profession.

4.1 Economic Impact

The Rules will introduce direct compliance costs on engineering technology professionals, candidate professionals, firms and temporary foreign practitioners. These costs arise principally from application fees, registration fees, annual subscription fees, professional assessment fees, practicing license fees, restoration fees and fees for accessing extracts from the register.

The Third Schedule prescribes, among others, an application fee of KShs. 5,000 and registration, annual subscription or license renewal fee of KShs. 20,000 for consulting engineering technology firms; KShs. 75,000 for temporary consulting engineering technology firms; KShs. 5,000 application fee and KShs. 15,000 license fees for consulting engineering technologists; KShs. 50,000 for temporary professional engineering technologists; KShs.7,500 license fees for professional engineering technologists; KShs. 3,500 for certified engineering technicians; KShs. 2,000 for certified crafts-persons and KShs. 1,000 for certified artisans; and lower candidate fees ranging between KShs. 500 and KShs. 4,000 depending on category.

These fees will impose an immediate financial obligation on practitioners. However, the structure appears differentiated and broadly progressive, with higher fees imposed on consulting firms, temporary foreign firms and senior professional categories, and lower fees imposed on candidates, crafts-persons and artisans. This differentiation is important because it recognizes differences in earning capacity, market access and regulatory risk across the categories of practice.

The professional assessment fees will also have economic implications. The Rules prescribe assessment fees of KShs. 8,000 for consulting engineering technologists, KShs. 7,000 for professional engineering technologists and KShs. 3,500 for certified engineering technicians, while craft and artisan categories are exempted. Curriculum assessment fees are significantly higher, with KShs. 300,000 for bachelor's degree programmes, KShs. 150,000 for Higher Diploma and KShs. 100,000 for Diploma programmes respectively.

The curriculum assessment fees require careful justification in the RIA because they may affect training institutions and, indirectly, learners. The regulatory rationale is that curriculum assessment is a quality assurance function intended to ensure that academic programmes produce graduates whose training aligns with the competency needs of

the profession. However, because the fees are substantial, KETRB should demonstrate that they are cost-reflective, linked to actual assessment expenses and not set at a level that may discourage programme accreditation or innovation in engineering technology education.

In the short term, the Rules may increase the cost of formal participation in the profession. Some practitioners who have operated informally may face new costs associated with registration, licensing, CPD compliance and renewal. Firms will also incur costs associated with documentation, statutory declarations, professional supervision and compliance with registration requirements.

However, these costs should be weighed against the long-term economic benefits. A regulated profession reduces the risk of defective works, negligent technical practice, unsafe installations and avoidable project losses. In infrastructure, housing, manufacturing, energy and transport, the cost of technical failure is often far greater than the cost of regulation. The Rules are therefore expected to generate positive economic returns through improved quality assurance, reduced remedial costs and enhanced confidence in engineering technology services.

The Rules may also improve market order by distinguishing qualified practitioners from unqualified or unlicensed persons. This can enhance the value of professional registration, support fair competition and improve client confidence. Over time, formalization may increase the earning potential of compliant practitioners because registration and licensing will operate as credible signals of competence.

4.2 Impact on Engineering Technology Professionals

For individual practitioners, the Rules create a clearer pathway into the profession. Part II provides for application for registration, preliminary review by the Registrar, consideration by the Board, professional assessment examination and issuance of certificates of registration. This reduces uncertainty and promotes procedural fairness.

The Rules will also impose continuing obligations. A person applying for a license must obtain a continuing professional development certificate and accumulate the minimum CPD points specified in the Third Schedule. The CPD activities must be relevant to the person's discipline and include mandatory components on ethics, safety, health and environmental standards.

The positive impact is that professionals will be required to remain current in technical knowledge, ethical standards and safety requirements. This is especially important in a sector where technologies, materials, safety standards and environmental requirements evolve rapidly. The negative impact is that CPD compliance may impose time and cost burdens, particularly on practitioners outside major urban centres or those in lower-income categories. To mitigate this, KETRB should consider blended CPD delivery, county-level CPD sessions, online learning and recognition of employer-based technical training.

The Rules also expose professionals to clearer disciplinary consequences. Suspension, cancellation, restoration and complaints handling are set out in Parts III and IV. This

strengthens accountability but also requires the Board to ensure that disciplinary processes comply with Article 47 of the Constitution and the Fair Administrative Action Act. Notice, reasons, opportunity to respond and written decisions must be consistently observed.

4.3 Impact on Firms and Consulting Practice

The Rules have a significant impact on engineering technology consulting firms. They require firms to apply for registration, provide prescribed documentation and demonstrate compliance with the statutory requirements under the Act. The forms require details on ownership, shareholders, professional registration of partners and proposed works and services.

This is likely to improve accountability within consulting practice. Clients and public bodies will be better able to verify whether a firm is properly registered and whether it has qualified personnel associated with it. This is especially important where firms undertake technical assignments in construction, infrastructure, manufacturing and industrial works.

There may be some compliance burden for smaller firms, particularly sole proprietorships and partnerships. The requirement for documentation, statutory declarations and payment of firm-level fees may be viewed as an entry cost. However, this burden is proportionate because consulting firms carry higher public safety and commercial risk than individual candidate practitioners.

The Rules also regulate temporary registration of foreign professionals and firms. This is important because Kenya's infrastructure and industrial sectors often involve foreign contractors, consultants and specialized technology providers. The temporary registration fees of KShs. 50,000 for temporary professional engineering technologists and KShs. 75,000 for temporary consulting engineering technology firms are higher than domestic fees. The justification is that foreign temporary practice requires more intensive verification and regulatory oversight. However, the fees should be calibrated carefully to avoid discouraging legitimate specialized expertise while still protecting the domestic regulatory space.

4.4 Social and Public Safety Impact

The most significant public benefit of the Rules lies in improved public safety. Engineering technology work affects buildings, roads, industrial plants, machinery, energy systems, transport systems and public infrastructure. Poorly executed technical work can result in injury, environmental harm, loss of property and loss of life.

By requiring registration, licensing, professional assessment and continuing professional development, the Rules create a preventive regulatory framework. They reduce the likelihood that unqualified persons will undertake technical work that has public safety

implications. The inclusion of ethics, safety, health and environmental standards within CPD is particularly important because it links professional renewal to public interest obligations.

The Rules also benefit consumers by improving access to information. The register maintained by the Registrar will include the status of each registered person, including whether the registration is active, suspended or cancelled. This allows members of the public, employers and procuring entities to verify professional standing before engaging a practitioner or firm.

4.5 Legal and Constitutional Impact

Legally, the Rules strengthen implementation of the Engineering Technology Act by giving procedural content to registration, licensing, compliance and discipline. They are made under section 49 of the Act and are therefore properly framed as subsidiary legislation under the parent statute.

The Rules also support constitutional values. They advance consumer protection under Article 46 by ensuring that professional services are delivered by qualified persons. They support Article 42 by requiring attention to environmental standards within professional development. They reinforce Article 47 by prescribing procedures for decisions affecting registration, licensing, suspension and cancellation.

The provisions on suspension and cancellation should also expressly provide for personal hearing where appropriate, not merely written representations, especially where the decision may affect livelihood. The disciplinary process should be expanded to include investigation, notice of hearing, right to representation, evidence, record of proceedings and appeal or review pathways where these are supported by the Act.

4.6 Institutional Impact on KETRB

The Rules will significantly expand the operational responsibilities of KETRB. The Board will need to process applications, administer professional examinations, maintain registers, issue licenses, monitor CPD, consider complaints, conduct disciplinary proceedings and publish regulatory information.

This will require administrative capacity, digital systems and trained staff. The timelines in the Rules, including preliminary review within seven days and communication of Board decisions within twenty-one working days, are useful for accountability but may strain institutional capacity unless supported by adequate staffing and automation.

KETRB will therefore need a reliable registration management system, an online payment and application portal, a CPD tracking mechanism, examination management procedures and a disciplinary case management system. Without these systems, the Rules may create expectations that the Board struggles to meet.

The fee regime will provide some revenue to support implementation. However, the RIA should recommend that fees be applied transparently towards registration administration, examinations, CPD systems, public register maintenance, compliance monitoring and disciplinary processes.

4.7 Overall Assessment

The likely benefits of the Rules outweigh the compliance costs. The fees and procedural requirements impose measurable burdens on practitioners and firms but the broader gains in public safety, professional credibility, market order, consumer protection and infrastructure quality are substantial.

The Rules are therefore economically and socially justified, provided that KETRB implements them in a proportionate, transparent and procedurally fair manner. The most important mitigation measures will be phased implementation, digitalization, clear guidance notes, accessible CPD opportunities and refinement of the disciplinary procedures before publication.

CHAPTER FIVE: COST–BENEFIT ANALYSIS AND ECONOMIC MODELLING

This chapter provides a detailed assessment of the anticipated costs and benefits associated with the implementation of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026. The analysis integrates both qualitative and indicative quantitative modelling, drawing from the prescribed fee structure under the Second Schedule and reasonable assumptions regarding the size and composition of the engineering technology sector in Kenya.

The purpose of this analysis is to demonstrate, in a structured and evidence-based manner, that the regulatory intervention is economically justified, proportionate and aligned with the broader objectives of professional regulation, public safety and national development.

5.1 Analytical Approach and Sector Assumptions

In undertaking this analysis, it is necessary to acknowledge the absence of a fully consolidated and publicly available national database of engineering technology practitioners disaggregated by category. Consequently, the assessment adopts a conservative modelling approach based on indicative sector segmentation and reasonable assumptions derived from professional registration trends in comparable regulatory bodies.

The engineering technology sector in Kenya comprises multiple tiers of practitioners, including professional engineering technologists, consulting engineering technologists, certified engineering technicians, craft-persons, artisans and candidate professionals at various stages of entry into the profession. In addition, the sector includes corporate actors in the form of consulting firms, as well as a limited but important category of temporary foreign practitioners and firms engaged in specialized technical assignments.

For purposes of modelling, it is reasonable to assume a professional base of approximately two thousand to three thousand technologists, a broader technical workforce of between five thousand and eight thousand technicians, craft-persons and artisans and a pipeline of candidate professionals estimated at between one thousand five hundred and two thousand five hundred individuals. The number of consulting firms is estimated at between three hundred and six hundred entities, with a smaller but economically significant presence of temporary foreign practitioners participating in specialized projects.

These assumptions provide a sufficiently robust basis for estimating regulatory flows and assessing the overall cost–benefit profile of the Rules.

5.2 Direct Compliance Costs

The implementation of the Rules introduces direct compliance costs borne by individual practitioners and firms. These costs arise primarily from application fees, registration or

annual subscription fees, professional assessment fees, practicing license fees and restoration fees, all of which are prescribed in the Second Schedule.

The fee structure reflects a deliberate differentiation across categories of practice. Consulting engineering technology firms are required to pay higher application and annual fees, reflecting the scale of operations and the higher level of regulatory oversight required for corporate practice. Similarly, consulting engineering technologists and professional engineering technologists are subject to higher annual licensing fees compared to certified technicians and artisans, whose fees are set at lower levels in recognition of their income profiles and market positioning.

This differentiation is economically rational and consistent with principles of proportionality in regulation. Higher-tier professionals and firms, who derive greater economic benefit from professional practice and whose work carries higher public risk, are required to contribute more towards the cost of regulation. Conversely, lower-tier practitioners are subject to reduced fees to avoid exclusion from the formal regulatory system.

On the basis of mid-range estimates of sector participation, the total annual direct compliance cost across the sector is projected to fall within the range of approximately forty to forty-five million shillings. This estimate is derived from aggregated contributions by professionals, technicians, candidates and firms and does not include one-off application or assessment fees.

In addition to these direct financial costs, practitioners will incur indirect costs associated with compliance. These include the cost of participating in continuing professional development programmes, the time required to prepare for professional assessment examinations and administrative costs related to documentation and application processes. While these costs are real, they are generally incremental and can be managed through efficient implementation mechanisms, including digital application systems and flexible CPD delivery models.

From an economic perspective, the overall compliance cost burden is moderate when viewed in relation to the income-generating potential of the profession and the risks associated with unregulated practice.

5.3 Regulatory and Administrative Costs to Government

The implementation of the Rules will impose administrative and operational costs on the Kenya Engineering Technology Registration Board. These costs arise from the need to process applications, administer professional examinations, maintain and update registers, issue licenses, monitor compliance with CPD requirements and manage complaints and disciplinary proceedings.

The Board will be required to strengthen its institutional capacity, including staffing, digital infrastructure and operational systems. In particular, the effective

implementation of the Rules will depend on the establishment of an integrated digital platform capable of supporting online registration, payment processing, CPD tracking and public access to the register of professionals.

Examination administration will also require dedicated resources, including the appointment of qualified examiners, development of examination content, logistical arrangements for examination sittings and mechanisms for ensuring integrity and preventing malpractice.

Disciplinary processes, which are formalized under the Rules, will necessitate procedural safeguards, documentation systems and, where necessary, legal support to ensure compliance with constitutional requirements relating to fair administrative action.

Notwithstanding these costs, the fee regime prescribed under the Rules provides a credible basis for cost recovery. Based on the indicative compliance cost estimates, annual revenue collections are likely to fall within the range of forty to fifty million shillings, subject to compliance rates and enforcement effectiveness. This creates a sustainable funding model for the Board, provided that revenue is managed transparently and aligned with service delivery obligations.

It is nevertheless important that the Board avoids over-reliance on fee income as a revenue-generating mechanism, and instead maintains a regulatory posture focused on public interest rather than financial maximization.

5.4 Economic Benefits of the Regulatory Framework

The economic benefits of the Rules are both direct and indirect and accrue over the short, medium and long term. The most significant of these benefits arises from the reduction in technical and infrastructure failures.

Engineering technology services underpin critical sectors of the economy, including construction, transport, energy, manufacturing and industrial production. Failures in these sectors often result in substantial economic losses, including project delays, cost overruns, structural defects, environmental damage and, in severe cases, loss of life. The cost of rectifying such failures is typically far greater than the cost of preventive regulation.

By establishing a system of registration, licensing, professional assessment and continuing professional development, the Rules create a preventive framework that reduces the likelihood of incompetence and negligence in professional practice. Even a marginal reduction in the incidence of technical failure can generate significant economic savings, particularly in large-scale infrastructure projects.

A second major benefit relates to increased investor confidence. Investors in infrastructure and industrial projects require assurance that technical work will be undertaken by qualified and accountable professionals. The Rules provide this assurance

by establishing verifiable registers of practitioners, standardized licensing requirements and enforceable compliance mechanisms. This reduces information asymmetry and enhances trust in the market, thereby supporting investment flows into key sectors of the economy.

The Rules also contribute to the formalization of the engineering technology sector. By requiring practitioners and firms to register and obtain licenses, the regulatory framework encourages the transition from informal to formal practice. This has multiple economic implications, including improved data for policy planning, increased tax compliance and greater integration of the sector into national development frameworks.

In addition, the mandatory continuing professional development framework supports human capital development within the sector. By requiring practitioners to continuously update their skills and knowledge, the Rules contribute to improved productivity, innovation and adaptability to new technologies. This is particularly important in a rapidly evolving technological environment where outdated knowledge can lead to inefficiencies and increased risk.

5.5 Distributional Effects

The costs and benefits of the Rules are not distributed evenly across all categories of practitioners and firms. Higher-tier professionals and consulting firms are likely to experience a relatively low-cost burden in proportion to their income and stand to benefit significantly from enhanced professional credibility and reduced competition from unqualified practitioners.

Lower-tier practitioners, including artisans and candidate professionals, may experience a higher relative cost burden, although the absolute fees applicable to these categories are lower. It is therefore important that implementation measures are designed to avoid unintended exclusion, particularly through flexible payment arrangements and accessible CPD opportunities.

Temporary foreign practitioners are subject to higher fees, reflecting the need for enhanced regulatory oversight. While this is justified, care must be taken to ensure that the fee structure does not discourage the entry of specialized expertise that may be required for complex or high-value projects.

5.6 Net Benefit Assessment

When the totality of costs and benefits is considered, the regulatory intervention demonstrates a clear positive net benefit. The estimated annual compliance cost of approximately forty to forty-five million shillings is modest when compared to the potential economic losses associated with unregulated or poorly regulated professional practice.

The benefits of improved quality assurance, enhanced public safety, increased investor confidence and strengthened professional standards are substantial and enduring. Importantly, these benefits extend beyond individual practitioners and firms to the broader economy and society.

Even a single avoided infrastructure failure or major technical defect could offset the total annual cost of compliance across the sector. This underscores the economic rationale for the Rules as a preventive regulatory measure.

5.7 Conclusion

The cost–benefit analysis confirms that the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 are economically justified and proportionate. The costs imposed on practitioners and firms are structured, differentiated and manageable, while the benefits are significant, wide-ranging and aligned with national development objectives.

The Rules therefore represent a sound regulatory investment, provided that implementation is carried out in a transparent, efficient and responsive manner.

CHAPTER SIX: IMPLEMENTATION, MONITORING AND EVALUATION FRAMEWORK

The effectiveness of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 will depend not only on the soundness of their design but also on the robustness of the implementation, monitoring and evaluation framework adopted by the Kenya Engineering Technology Registration Board (KETRB). This chapter sets out the institutional, operational and performance mechanisms necessary to ensure that the Rules achieve their intended regulatory outcomes.

6.1 Institutional Implementation Framework

The primary responsibility for implementing the Rules rests with the Kenya Engineering Technology Registration Board, as established under the Engineering Technology Act. The Rules significantly expand the operational scope of the Board by introducing detailed procedures on registration, licensing, continuing professional development, compliance monitoring and disciplinary processes.

To effectively discharge these responsibilities, the Board will be required to strengthen its institutional capacity across several functional areas. First, the registration function must be supported by a structured application management system capable of receiving, verifying and processing applications within the timelines prescribed under the Rules. The requirement that applications be subjected to preliminary review within seven days and determined by the Board within specified timelines necessitates a responsive and well-coordinated administrative structure.

Secondly, the Board must establish a robust examination framework to support the professional assessment process. This includes the development of examination syllabi, appointment of qualified examiners, administration of examination sittings and management of results. The integrity and credibility of this process are central to the legitimacy of the regulatory system.

Thirdly, the licensing and compliance function must be operationalized through a reliable system for tracking practicing licenses, renewal cycles and compliance with continuing professional development requirements. This will require the establishment of a CPD accreditation and tracking mechanism, including recognition of training providers and validation of CPD points.

Fourthly, the Board must develop and operationalize a disciplinary and complaints handling system in accordance with Part IV of the Rules. This system must be procedurally sound, transparent and compliant with constitutional requirements on fair administrative action. It should include processes for complaint intake, preliminary review, investigation, hearing, determination and communication of decisions.

Finally, the Board must ensure the maintenance of an up-to-date and accessible register of professionals and firms, including status indicators such as active, suspended or

cancelled registration. This function is critical for transparency and public confidence in the regulatory system.

6.2 Phased Implementation Strategy

Given the breadth and depth of the regulatory framework introduced by the Rules, a phased implementation approach is recommended to ensure a smooth transition and to mitigate compliance challenges.

In the initial phase, the focus should be on institutional readiness. This includes the development of internal procedures, training of staff, establishment of digital systems and preparation of guidance materials for stakeholders. During this phase, the Board should also undertake stakeholder sensitization to ensure that practitioners and firms understand the requirements of the Rules.

The second phase should involve the formal rollout of registration and licensing processes. Existing practitioners should be given a reasonable transition period within which to regularize their status, including registration and application for practicing licenses. This transitional window is important to avoid disruption of ongoing professional practice and to encourage voluntary compliance.

The third phase should focus on full enforcement, including strict application of licensing requirements, CPD compliance and disciplinary processes. By this stage, the regulatory system should be fully operational, and non-compliance should attract the sanctions provided under the Rules and the Act.

A phased approach ensures that the regulatory transition is orderly, reduces resistance from stakeholders and enhances overall compliance.

6.3 Compliance and Enforcement Framework

The Rules establish a comprehensive compliance framework anchored on registration, licensing and disciplinary oversight. Compliance will be enforced through a combination of administrative controls, professional accountability mechanisms and sanctions.

The requirement for practicing licenses creates a clear legal threshold for lawful professional practice. Only persons and firms that are duly registered and licensed will be permitted to operate, thereby excluding unqualified or non-compliant actors from the market.

Continuing professional development requirements introduce an ongoing compliance obligation, ensuring that practitioners remain competent and up-to-date. The requirement that CPD activities include ethics, safety and environmental considerations strengthens the public interest dimension of professional practice.

Enforcement will also be supported by the complaints and disciplinary framework under Part IV of the Rules. Members of the public, clients and other stakeholders are empowered to lodge complaints against practitioners, which are then subjected to preliminary review and determination by the Board. Sanctions, including suspension or cancellation of licenses, provide a strong deterrent against misconduct and incompetence.

For enforcement to be effective, the Board will need to adopt a risk-based approach, focusing on high-impact areas such as consulting practice, infrastructure-related work and sectors with significant public safety implications.

6.4 Monitoring and Evaluation Framework

A structured monitoring and evaluation framework is essential to assess the effectiveness of the Rules and to inform future regulatory adjustments. The framework should be based on clearly defined performance indicators aligned with the objectives of the Rules.

The following implementation and performance matrix is proposed to guide monitoring:

Objective	Key Indicator	Baseline	Target (Year 1–3)	Data Source
Improve registration efficiency	Average time taken to process applications	Not standardised	≤ 21 days	KETRB administrative records
Enhance licensing compliance	Percentage of registered practitioners holding valid practicing licenses	Low/unknown	≥ 80% compliance	Licensing database
Strengthen professional competence	Percentage of practitioners meeting CPD requirements	Not tracked	≥ 75% compliance	CPD tracking system
Improve disciplinary accountability	Number of complaints processed within prescribed timelines	Not standardised	≥ 90% compliance	Disciplinary records
Enhance transparency	Availability and accessibility of public register	Limited	Fully digitized and accessible	Public register system

This matrix provides a practical tool for tracking progress and identifying areas requiring intervention.

6.5 Stakeholder Engagement and Communication

Effective implementation will require continuous engagement with stakeholders, including professional associations, training institutions, consulting firms, government

agencies and development partners. The Board should develop a communication strategy that includes dissemination of guidelines, stakeholder workshops, digital platforms and public awareness campaigns.

Stakeholder engagement is particularly important in the early stages of implementation, as it promotes understanding, builds trust and encourages voluntary compliance.

6.6 Review and Continuous Improvement

The regulatory environment within which the engineering technology profession operates is dynamic, influenced by technological advancements, market developments and evolving public expectations. It is therefore essential that the Rules are subject to periodic review.

It is recommended that the Board undertake a formal review of the Rules within three to five years of implementation, informed by data from the monitoring and evaluation framework. This review should assess the effectiveness of the Rules, identify gaps and propose amendments where necessary.

In addition, the Board should establish internal feedback mechanisms to capture operational challenges and stakeholder concerns on an ongoing basis.

6.7 Conclusion

The successful implementation of the Engineering Technology (Registration, Licensing and Compliance) Rules, 2026 will depend on a well-coordinated institutional framework, a phased rollout strategy, effective compliance and enforcement mechanisms and a robust monitoring and evaluation system.

If properly implemented, the Rules have the potential to significantly strengthen the regulation of the engineering technology profession, enhance public safety and contribute to national development objectives.