

UNIVERSITY OF NAIROBI

THE ARCHITECTURAL ASSOCIATION OF KENYA

CONSTITUTION AND BY-LAWS

The Architectural Association of Kenya,
P.O. Box 4258,
Nairobi,
Kenya.

UNIVERSITY OF NAIROBI

THE ARCHITECTURAL ASSOCIATION OF KENYA

C O N S T I T U T I O N

(adopted in General Meeting on 25th October, 1967)
(with minor amendments approved at Annual General Meeting on 29th March, 1968)

1. The title of the Association is "The Architectural Association of Kenya" hereinafter called the Association. Title
2. The objects of the Association are: Objects
 - 2.1. to organise and unite in fellowship the professions concerned with building and environment in Kenya, and to associate with similar professional societies elsewhere,
 - 2.2. to combine the efforts of such professions so as to advance their aesthetic, scientific and practical efficiency,
 - 2.3. to advance the science and art of planning and building by developing the standards of professional education, training and practice, and
 - 2.4. to promote professional integrity and to govern the members of the Association in all matters of professional practice.
 - 2.5. the Association shall have no political object.
3. Chapters shall be formed within the Association in the manner prescribed in the By-Laws to represent each of the principal professions concerned with building and environment, such chapters being composed of the members of the Association of each individual profession. Chapters
4. Branches or Groups of the Association may be formed in any geographical area, or town where this is so requested by the members living there, and they shall be established in a manner, and upon such conditions as shall be agreed by Council. Branches
5. Corporate members of the Association shall be voting members. Corporate Membership
6. Non-corporate members of the Association shall be non-voting members, and shall be honorary members, graduate members, technician members and student members. Non-Corporate Membership

7. 7.1. Corporate Members shall be those persons who are declared to be corporate members at the inaugural meeting of the Association, and thereafter shall be persons who have attained the age of 21 years, have passed a prescribed examination, have had a minimum of two years approved practical experience, and have fulfilled such conditions as the By-Laws shall prescribe. Qualifications for Membership
- 7.2. Honorary Members shall be persons whom the Council consider to be eligible by virtue of eminence in arts, science or literature.
- 7.3. Graduate Members shall be persons who have passed a prescribed examination, and have fulfilled such conditions as the By-laws shall prescribe.
- 7.4. Technician Members shall be persons who have passed a prescribed examination, and have fulfilled such conditions as the By-laws may prescribe.
- 7.5. Student Members shall be persons who have passed a prescribed examination, and have fulfilled such conditions as the By-laws may prescribe.
8. The management of the affairs and business of the Association shall be vested in and conducted by the Council. Management
9. The Council shall be composed of the most recent past presidents ex officio, not less than two corporate members elected to represent the members of each Chapter or Group as shall be provided in the By-laws, and the office bearers if such persons are not otherwise elected. The Council
10. The office bearers of the Association shall be the president, vice-president, honorary secretary, honorary treasurer, and honorary registrar. Office Bearers
11. 11.1. The President when present, shall preside over all meetings of the Association, and at the Council and shall be responsible for carrying out the policy of the Council. Duties of Office Bearers
- 11.2. The Vice-President shall perform the duties of the President in his absence.
- 11.3. The Honorary Secretary shall deal with all correspondence of the Association under the general direction of the Council and shall be responsible for the safe keeping of all Association records.
- 11.4. The Honorary Treasurer under the direction of the Council shall receive all monies belonging to the Association, disburse all charges thereto, and shall issue receipts

for all monies received by him, and preserve vouchers for all monies paid by him, and shall be responsible for maintaining proper books of account, and for preparing an annual balance sheet.

- 11.5. The Honorary Registrar shall receive applications for membership for presentation to Council, and shall maintain a register of all members, with their full names, addresses and qualifications, and he shall cause a list of members to be prepared annually.
12. The General Meetings of the Association shall be convened by the Honorary Secretary on the instructions of the Council, President or Vice-President or as the By-laws may prescribe. There shall be held at least one General Meeting in each year which shall be known as the Annual General Meeting, at which the business shall include receiving a report from the President, and the Honorary Treasurer, and the election of Council for the ensuing year. General Meetings
13. At all meetings of the Association, the President, or in his absence the Vice-President, or in the absence of both these officers, a member selected by the meeting, shall take the chair. Resolutions shall be decided by simple majority by a show of hands. In the case of equality of votes the Chairman shall have a second or casting vote. Procedure at Meetings
14. Any resolution of the Council which affects the interests of one profession only shall require to be seconded by one of the representatives from the Chapter concerned. Veto
15. Trustees of the Society shall from time to time be appointed by the President on the nomination of the Association at any General Meeting at which the appointment of Trustees is properly upon the agenda. There shall be not less than two nor more than four Trustees who shall be selected from persons who are Corporate members. Investments, securities and immovable property acquired by the Association shall be vested in the names of the Trustees. Trustees
16. Entrance fees and annual subscriptions shall be paid to the Association in accordance with the amounts and in such manner as the By-laws prescribe. Entrance Fees and Subscriptions
17. The Council shall, subject to such limitations and restrictions as the By-laws prescribe, apply the funds for the administration of the business of the Association, and for promoting the objects of the Association. Auditors shall be elected annually at the Annual General Meeting. Application of Funds

The auditors shall have access at all reasonable times to the accounts, and securities, and shall report thereon to the next Annual General Meeting.

18. At such time as the Council may decide there shall be established professional affixes for use by Corporate members of the Association, and such affixes shall be used in the manner, and on such conditions as the By-laws prescribe. Professional Affixes
19. Every member shall be bound to adhere to the Principles of Professional Conduct promulgated by the Council on the resolution of the Association in General Meeting, and to the Code of Conduct published in the By-laws. Professional Conduct
20. The Council is empowered to create, revoke or amend By-laws to regulate all matters referred thereto by this Constitution, and on any other matters on which regulations are required which are consistent with the Constitution. By-laws
21. The amendment of this Constitution shall be by a simple majority vote in a referendum of all Corporate members following a resolution of the Association in General Meeting at which the proposed amendment is properly upon the agenda, such resolution having been carried with two-thirds of those present and entitled to vote voting in favour of the motion. Amendment of Constitution
22. The dissolution of the Association shall be by a simple majority vote in a referendum of all Corporate members following a resolution of the Association in General Meeting at which the proposed dissolution is properly upon the agenda, such resolution having been carried with two-thirds of those present and entitled to vote voting in favour of the motion. In the event of the dissolution of the Association the Council last in office shall decide upon the disposal of the Association funds, investments, securities and property. Dissolution

THE ARCHITECTURAL ASSOCIATION OF KENYA

BY-LAWS

(adopted in General Meeting on 25th October, 1967)
(and amended with Appendices I,II and III)

1. 'The Constitution' shall mean the Constitution adopted in General Meeting on the 31st of May 1967, and all subsequent amendments thereto. Definition

2. 'Approval' or 'approved' shall mean the approval of or by the Council of the Association.

2. As provided in Clause 3 of the Constitution, the following chapters shall be formed: Formation of Chapters
 - (i) Chapter of Architects
 - (ii) Chapter of Town Planning
 - (iii) Chapter of Quantity Surveyors
 - (iv) Chapter of Engineers

- 2.2. A chapter shall be composed of all members of the Association of that profession, provided always that a member who is so qualified may join more than one chapter.

- 2.3. Each chapter shall have a chairman elected by its representatives to Council, after the Annual General Meeting, and such chairman shall be empowered to convene meetings of the chapter from time to time, and may appoint a deputy for any of his duties.

- 2.4. Other chapters or territorial or member Groups may be formed at the Council's discretion.

3. Corporate members shall be: Corporate Members
 - (i) those persons declared to be corporate members at the inaugural meeting of the Association on the 31st of May, 1967, and

 - (ii) those persons who are invited to become corporate members by virtue of their corporate membership of the East Africa Institute of Architects or the Royal Institution of Chartered Surveyors Kenya Branch, and by virtue of their Kenya status, and who accept such invitation prior to the 31st of December, 1967, and

 - (iii) those persons who are elected as corporate members as provided for in these by-laws.

3.2. To qualify for election as a Corporate Member, a candidate shall:

- (i) have attained the age of 23 years, and
- (ii) be a principal in private practice as defined in Appendix III or an employee of a professional firm, or official department or educational body, and
- (iii) have passed one of the examinations prescribed in Appendix III to these By-laws, and
- (iv) have had at least two years of approved professional experience. In the case of Architects and Quantity Surveyors be registered or eligible for registration by the Board of Registration of Architects and Quantity Surveyors in Kenya, and
- (v) in the case of Engineers, shall be Corporate Members of the East African Institution of Engineers or have passed an examination set by the Institution or an equivalent examination approved by the Institution as set out in Appendix III.
- (vi) (a) In the case of Town Planners, shall have completed an approved full time course of study in physical, urban and regional planning at a University leading to a final academic qualification in physical planning followed by a minimum of one year approved practical experience.

OR

- (b) have obtained a basic degree in one of the disciplines set out in Appendix III followed by the obtaining of a degree or a diploma in physical planning as approved by the Council and a minimum of one or two years respectively in approved professional practice.

4. Graduate members shall be:

Graduate
Members

- (i) those persons who are invited to become graduate members by virtue of their membership of the East Africa Institute of Architects or the Royal Institution of Chartered Surveyors Kenya Branch, and by virtue of their Kenya status, and who accept such invitation prior to the 31st of December, 1967, and
- (ii) those persons who are elected as graduate members as provided for in these By-laws.

4.2. To qualify for election as a graduate member a candidate shall:

- (i) have attained the age of 21 years, and
- (ii) be an employee of a firm of Architects, Town

Planners, Quantity Surveyors or Engineers, or official department where that department is engaged in architecture, town planning, quantity surveying or engineering, and/or be a student at an approved educational establishment, and

(iii) have passed one of the examinations prescribed in the Appendix III to these By-laws.

(iv) (a) In the case of Town Planners, shall have completed an approved full time course of study in physical urban and regional planning at a University leading to a final academic qualification in Physical Planning;

OR

(b) have obtained a basic degree in one of the disciplines set out in Appendix III followed by the obtaining of a degree or a diploma in physical planning as approved by the Council.

(v) In the case of Engineers be a Graduate Member of the East African Institution of Engineers.

5. Technician members shall be:

Technician
Members

(i) those persons who are invited to become technician members by virtue of being building technicians of the East Africa Institute of Architects, and by virtue of their Kenya status and who accept such invitation prior to the 31st of December 1967, and

(ii) those persons who are elected as technician members as provided for in these By-laws.

5.2. To qualify for election as a technician member a candidate shall:

(i) have attained the age of 21 years, and

(ii) be an employee of a firm of Architects, Town Planners, Quantity Surveyors or Engineers, or official department where that department is engaged in architecture, town planning, quantity surveying or engineering, and

(iii) have passed one of the examinations prescribed in Appendix III to these By-laws.

6. Student members shall be:

Student
Members

(i) those persons who are invited to become student members by virtue of their student membership of the East Africa Institute of Architects or of the Royal Institution of Chartered Surveyors Kenya Branch and by virtue of their Kenya status, and who accept such invitation prior to the 31st December, 1967, and

(ii) those persons who are elected as student members

(iii) in the case of Town Planners shall be undertaking an approved course of study in urban and regional physical planning.

6.2. Student membership shall be limited to a period of ten years and at the end of such period a student's membership shall lapse.

6.3. To qualify for election as a student, a candidate shall:

(i) have attained the age of 16 years, and

(ii) be an employee in approved employment and/or a student at an approved educational establishment, and

(iii) have attained a G.C.E. at 'A' level in approved subjects.

7. All persons who are declared or invited to be members, Member's and all candidates for election as members shall agree Declaration to abide by the Constitution and by-laws of the Association, and to be bound by the principles and code of professional conduct promulgated by the Association, and shall sign a declaration to this effect.

8. All candidates for election as corporate, graduate technician or student members shall complete an application form, sign the declaration required under clause 7 and submit it to the Registrar. Election of Members

8.2. All candidates for election shall be proposed by and seconded by corporate members of the chapter which he is qualified to join.

8.3. In the event of a candidate being unable to find corporate members willing to support his application because he is not known in Kenya, the president or vice-president and the chairman of the chapter shall have the power at their own discretion to sign the application form.

8.4. In making application for membership, a candidate shall state the class of membership and the chapter (or chapters) for which he considers himself to be eligible, but Council shall be entitled to change the application form in regard to either the class or the chapters at the time of election if they consider that such change is appropriate in view of the candidate's qualifications.

8.5. All applications for membership shall be considered by Council or by a balloting committee appointed by Council at the first opportunity after such application has been received by the Registrar and election shall be by a majority vote.

8.6. Should additional information or any investigation be required by the Council or balloting committee, an application may be held in suspense until such additional information is received, but in the event that an application is rejected, a candidate may not re-apply for membership for a period of twelve months.

8.7. Upon election, the Registrar shall inform the candidate and shall stipulate the entrance fee and subscription which is due. The candidate's name shall not be entered on the roll of members until such payment has been made

and in the event that such payment is not received within three months from the date of notification of election, the election shall be void.

8.8. A member wishing to advance to another class of membership shall make a new application to the Registrar as provided above. Any member who wishes to join a second chapter and who is appropriately qualified shall write a letter of application to Council.

9. The Council may invite a person to be enrolled as an honorary member by virtue of eminence in arts, science or literature. The proposal shall be put to a Council meeting and if unanimously supported by those present, the president shall write a letter of invitation to that person and if the invitation be accepted that person shall be enrolled as an honorary member of the Association for such time as the Council may decide. Honorary
Member-
ship

10. Members of all classes shall have the right to attend General Meetings of the Association and of their chapter and may join in all discussions and participate in all Association or chapter activities. Privi-
leges
of
Members

10.2. Corporate members only may vote at Association or chapter meetings. Corporate members who are members of more than one chapter shall have a vote at the meetings of each such chapter but shall have only one vote at General Meetings of the Association.

11. Entrance fees shall be paid by elected members on election and by all members when advancing from one class of membership to another, as follows: Entrance
Fees
and
Subscr-
ptions

On election as a corporate member	Shs: 90.00
On election as a graduate member	Shs: 60.00
On election as a technician	Shs: 60.00
On election as a student	Shs: 30.00
On advancing from one class to another	Shs: 30.00

11.2. Annual subscriptions shall be paid in advance by all members on election and on the 1st of January of each successive year, as follows:

Members normally resident in Kenya

Corporate members	Shs: 100.00
Graduate members	Shs: 60.00
Technician members	Shs: 60.00
Student members	Shs: 30.00
Membership of second chapter	Shs: 30.00

Members normally resident outside
Kenya

Corporate members	Shs: 50.00
Graduate members	Shs: 30.00
Technician members	Shs: 30.00
Student members	Shs: 15.00
Membership of second chapter	Shs: 15.00

- 11.3. In the case of members elected after the 1st of October, the subscription for the following year shall be waived.
- 11.4. Any member whose subscription remains outstanding for three months from the date that it is due, shall be reported by the Treasurer to Council for such action as they consider appropriate.
12. Membership of the Association shall be terminated by Council:
- Termination
of
Membership
- (i) On receipt by Council of a letter of resignation from a member.
 - (ii) If in the opinion of Council a member changes his occupation or employment so as to no longer qualify for membership.
 - (iii) If a subscription which is properly due from a member remains unpaid for a further 31 days after a letter has been written on the instructions of Council and sent by registered post, advising such member that his subscription has been outstanding for a period of three months, provided that such registered letter is sent to the address last known to the Registrar.
 - (iv) In the event that a member after having been warned by Council in writing fails or refuses to abide by the Constitution and by-laws of the Association.
 - (v) In the event that a member being guilty of unprofessional conduct is found by Council to warrant the termination of his membership.
- 12.2. On termination of membership, the member's name shall be removed from the roll of members and he shall be so advised in writing by the Registrar. On termination of membership a member shall not be entitled to refunds of subscription or any moneys contributed from time to time.

- 12.3. On termination of membership, the member shall return any certificate of membership which may have been issued to him.
- 12.4. A member whose name is removed from the roll of membership may be reinstated at the discretion of the Council and on such terms as they may consider appropriate.
13. Council shall consist of the following Members of Council
Corporate members:
- (i) Elected representatives of each chapter, branch or group on the basis of two representatives for the first twenty members and one representative for each additional twenty members or part thereof.
 - (ii) The three most recent past presidents ex officio.
 - (iii) The honorary secretary, honorary treasurer and honorary registrar if such officers have not been elected to Council.
- 13.2. The Council shall review the membership figures annually and shall declare the number of vacancies to be filled from each chapter.
- 13.3. Not less than six weeks before each Annual General Meeting the honorary secretary shall circulate all corporate members inviting nominations for Council. The nomination of a member must be made with his consent and shall be proposed and seconded by corporate members of his chapter. All elected members of Council shall be eligible for re-election without nomination.
- 13.4. Not less than three weeks before each Annual General Meeting the honorary secretary shall circulate to all corporate members, a ballot paper giving the names of all members eligible for election to Council and indicating the number of vacancies to be filled from each chapter. A member may vote only for persons nominated from his own chapter, or chapters.
- 13.5. The retiring Council shall appoint scrutineers who shall count the votes cast, prior to, and shall report thereon, at the Annual General Meeting.
- 13.6. Council shall have the power to co-opt a maximum of four additional voting members.
- 13.7. If in the opinion of the president, a member of Council has sufficient cause for absence, the member shall have the right to appoint an alternate from his own chapter.

- 13.8. Members of Council shall hold office for a session commencing immediately after the Annual General Meeting.
14. The Council shall hold ten monthly meetings in each session. Council Meetings
- 14.2. The quorum at Council meetings shall be five.
15. At the first meeting of Council after an Annual General Meeting, there shall be elected by show of hands or by a ballot from amongst those elected to Council, a president and vice-president. A president may not serve for more than two consecutive sessions. Election of Officers
- 15.2. At the first meeting of Council after an Annual General Meeting, the members shall appoint from amongst the corporate members of the Association an honorary secretary, honorary treasurer and honorary registrar. Such persons shall become full voting members of Council, if not otherwise elected.
- 15.3. Office bearers may be removed from office in the manner as laid down in By-Law 20. Vacancies thus created being filled by members appointed by the Council Meeting resolving the expulsion.
16. The officers of the Association constitute the executive committee, to undertake such routine business as the Council may delegate to them. Committees
- 16.2. The Council may appoint such standing or ad hoc committees as it may consider necessary from time to time. The chairman shall always be selected from the members of Council and Council may appoint the committee members or may authorize the chairman to form his own committee.
- 16.3. Committees shall appoint from among their number, a secretary when so required, shall determine their own quorum and shall have the power to co-opt additional members.
- 16.4. Committees shall have no right to incur any expense on behalf of the Association, unless specifically authorized by Council to do so.
- 16.5. Nothing in this clause shall limit the right of chapters to appoint their own committees, which would be responsible to such chapters.
17. The financial year of the Association shall end on the 31st of December and all accounts and balance sheets shall be prepared to that date. Finance

- 17.2. There shall be opened a bank account at the Kenyatta Avenue Branch of National & Grindlays Bank in which all entrance fees, subscriptions, and other payments received shall be deposited, and from which all payments due by the Association shall be paid.
- 17.3. Cheques drawn on the Association account shall require: the signature of the president or vice-president and the signature of the honorary secretary or the honorary treasurer.
18. The Annual General Meeting shall take place not later than March in each year and shall mark the beginning of the session. Annual General Meetings
- 18.2. The Annual General Meeting shall be convened by the honorary secretary, who shall give three weeks notice in writing to every member.
- 18.3. The business of the Annual General Meeting shall include:
- (i) receiving a report of Council from the president,
 - (ii) receiving a report from the honorary treasurer and approving the annual audited accounts,
 - (iii) receiving scrutineers' report on the election of Council for the new session.
 - (iv) appointment of auditors for the current financial year.
 - (v) a debate on any other business of which 14 days' notice has been given.
- 18.4. The quorum at the Annual General Meeting shall be ten corporate members.
19. General Meetings shall be convened on the instructions of Council, president or vice-president or on a receipt of a written requisition from ten members, stating the business to be debated. General Meetings
- 19.2. General Meetings shall be convened by the honorary secretary, who shall give at least 14 days' notice in writing to all members, accompanied by the agenda.
- 19.3. The quorum at the General Meeting shall be ten corporate members.
20. Should any complaint be received in writing by the honorary secretary concerning the conduct of a member, the matter shall be reported to Council and if Council rule Disciplinary Power

that the matter be investigated, the honorary secretary shall send a copy of the complaint by registered letter to the member concerned.

20.2. The Council shall make such investigations as it considers appropriate and the member shall be required to appear either before the Council or before an investigating committee.

20.3. After completing its investigations, Council shall by a ballot find the member guilty or not guilty of professional misconduct and shall at its discretion:

- (i) exonerate, or
- (ii) warn, or
- (iii) reprimand, or
- (iv) suspend, or
- (v) expel the member, and

the honorary secretary shall notify the member by registered post accordingly.

20.4. The Council's decision shall be final, but in the event that additional evidence subsequently appears which Council consider to be material they shall review their previous decision.

20.5. If a member shall be suspended or expelled, the appropriate statutory Board of Registration shall be notified.

APPENDIX I

THE ARCHITECTURAL ASSOCIATION OF KENYA

1. PRINCIPALS OF PROFESSIONAL CONDUCT

- 1.1. A member shall at all times fully discharge his duties and shall not commit any act which will have the effect of avoiding responsibility.
- 1.2. A member shall at all times be honest in his dealings and his decisions shall be made with integrity of purpose.
- 1.3. A member shall at all times be free from corruption.
- 1.4. A member's advice shall at all times be impartial.
- 1.5. A member must never place himself in a position where his duties are liable to conflict.
- 1.6. A member shall at all times act in an honourable manner towards his professional colleagues.
- 1.7. A member must not accept any discount, gift or commission which is in any way related either directly or indirectly to his professional activity.
- 1.8. A member must not advertise his professional services.

2. CODE OF CONDUCT

Without derogation of the Council's authority to include other matters a member shall be guilty of professional misconduct if he should:

- 2.1. engage directly or indirectly in any of the building trades, either as principal (except as owner of the building to be erected) or in a salaried capacity or practise as an auctioneer, house agent, manufacturers' agent or any other commercial undertaking inconsistent with his profession. Provided that nothing herein shall prevent a member from announcing land or sites or premises for sale or letting in connection with an estate to which he has been appointed agent;
- 2.2. accept any work which involves the giving or receiving of discounts or commission;
- 2.3. accept any discount, gift or commission from contractors or tradesmen whether employed upon his work or not;
- 2.4. own or have a commercial interest, either as a director of a company or as a consultant or adviser or as a shareholder in any material, device or invention used in a building without first informing his client thereof and obtaining his sanction before specifying the use of it in works under his direction.

- 2.5. advertise or tout his professional services or make announcements in the press except to publish in the press and notify his correspondents by post once of any change of address, opening of a new firm or branch office or alterations in the partnership or constitution of a firm;
- 2.6. give monetary consideration for the insertion of illustrations and descriptions of his work in the press or allow illustrations and descriptions of his work to be used by the publishers for extorting advertisements from unwilling contributors;
- 2.7. exhibit his name outside his office and on buildings in course of construction, alteration or extension in an ostentatious way or in lettering more than two inches in height, or as Architect or Quantity Surveyor member not comply with the rules governing site notice boards as laid down by the Registration Board:-

"Normal sites should have one name board only; if it is considered that there is a case for more than one board the agreement of the Board must be obtained. It is considered that a site with two frontages is not an abnormal site" (187 Meeting 8.3.1960).

"The Board consider that Quantity Surveyors may only display their names (on Notice Boards)...where documents are issued under their name". (195 Meeting 8.11.1960).

- 2.8. issue any drawings, specifications, bills of quantities certificate or final account unless the same bear his name or signature;
- 2.9. share or agree to share fees or enter into partnership in regard to architectural or quantity surveying work with any person not registered or otherwise approved by the Registration Board.
Provided that nothing herein shall prevent an Architect from entering into partnership with a Quantity Surveyor;
- 2.10. take part in any architectural competition limited or otherwise unless the conditions thereof have been approved by the Association and conform to the regulations governing promotion and conduct of architectural competitions as laid down by the Royal Institute of British Architects in so far as they apply;
- 2.11. attempt in any way to secure work for which a competition has been instituted, except as competitor and in accordance with the conditions of that competition until the conditions of the competition have ceased to be operative;
- 2.12. attempt to influence unfairly or dishonourably whether directly or indirectly the award in a competition;
- 2.13. act as Architect or joint Architect for a work which is or has been the subject of a competition in which he is or has been engaged as assessor;
- 2.14. as an assessor act as a consulting architect unless he has been appointed as such prior to the inception of the competition, provided always that he may act as arbitrator in any dispute between the promoters and the selected Architect.

- 2.15. in the case of quantity surveying work wilfully destroy his original dimensions, abstract, draft bill and any other documentary evidence necessary to verify his bill of quantities until six years after the final completion of the contract and the settlement of all accounts;
- 2.16. attempt to supplant another member or to compete by means of reduction of fees or by other inducement;
- 2.17. knowingly proceed with the work which was previously entrusted to another member before communicating with the member previously employed and take steps to ensure that his engagement has been terminated;
- 2.18. deviate from, by charging less than, charges laid down in the scale of fees approved by the Association from time to time.
- 2.19. undertake or accept instructions for professional work on the basis that if a successful result is not attained a reduction of the fee laid down in the approved scale of charges will be made or that no fee will be charged;
- 2.20. obtain or attempt to obtain professional work by means of offering or paying monetary or other valuable consideration or inducement to any person or persons or by any other improper means;
- 2.21. act other than in an impartial manner between the employer and the contractor or interpret the conditions of a contract other than with entire fairness as between all parties to the contract;
- 2.22. pay another member less than the fees set forth in the approved scale of charges;
- 2.23. knowingly contravene the provisions of these by-laws or make a false declaration in his application for membership;
- 2.24. as an Architect or Quantity Surveyor member not comply with Professional Practice Notes issued by the Registration Board;
- 2.25. conduct himself in a manner which the Association may deem incompetent, dishonourable or negligent in connection with the work performed by him as a professional member of the Association.

APPENDIX II

THE ARCHITECTURAL ASSOCIATION OF KENYA

1. APPROVED SCALE OF CHARGES

- 1.1. For Architects and Quantity Surveyors, the Schedules setting out the current Conditions of Engagement and Scale of Professional Charges made under the Architects and Quantity Surveyors Act (Cap 525).
- 1.2. For Engineers as set out in the current Conditions and Scale of Charges issued by the Association of Consulting Engineers (Kenya).
- 1.3. For Town Planners as set out in the Schedule of Charges as issued by the Town Planning Institute, U.K., and approved by the Council.

THE ARCHITECTURAL ASSOCIATION OF KENYA

1. Prescribed Examinations and qualifications for admission to Membership as:-

1.1. Corporate Members - Architects Chapter:

The final degree examination of the University College followed by the part III Examination (Professional Practice) set by the Board of Architectural Education of Eastern Africa or the Final Examination set by the Board of Architectural Education for Eastern Africa Parts I, II and III.

1.2. Corporate Members - Quantity Surveyors Chapter:

The Master of Arts Degree in Building Economics of the University of East Africa or the Final part II Examination of the Royal Institution of Chartered Surveyors in Quantity Surveying or the third Examination of the Institute of Quantity Surveyors.

1.3. Corporate Members - Engineers Chapter:

Corporate membership of the East African Institution of Engineers.

1.4. Corporate Members - Town Planners Chapter:

The disciplines required by the Town Planners shall be Architecture, Economics, Sociology, Geography or Engineering.

The completion of an approved course in respect of the Town Planners which shall give entitlement to Full Membership of the Town Planning Institute U.K., Town Planning Institute U.S.A. and/or the Town Planning Institute Canada.

1.5. Graduate Members - Architects, Quantity Surveyors and Engineers Chapters:

The following degrees issued by the University College of East Africa or the other examinations prescribed:

- (a) Bachelor of Arts in Architectural Studies
- (b) Bachelor of Arts in Building Economics
- (c) Bachelor of Science in Engineering

and/or the Intermediate examination set by the Board of Architectural Education for Eastern Africa and/or an equivalent examination approved by the Board of Architectural Education for Eastern Africa and/or passed the Final Part I Examination of the Royal Institution of Chartered Surveyors in Quantity Surveying and/or the second

examination of the Institute of Quantity Surveyors and/or an examination approved by the East African Institution of Engineers.

1.6. Graduate Members - Town Planners Chapter:

The completion of an approved course in respect of the Town Planners leading to entitlement to Full Membership of the Town Planning Institute U.K., Town Planning Institute U.S.A., and/or the Town Planning Institute Canada.

1.7. Technician Members - All Chapters:

- (i) The Association's Technician Examination set by the Board of Architectural Education for Eastern Africa.
- (ii) The City Guilds Ordinary Technician Diploma in Building and Civil Engineering.
- (iii) The City and Guilds Construction Technician's Certificate (Part II).
- (iv) The City and Guild's Higher Certificate in Building.
- (v) The City and Guild's Higher Certificate in Civil Engineering.
- (vi) The City and Guild's Higher Technician Diploma in Construction (Building & Civil Engineering).
- (vii) A Higher National Certificate in Building, Civil Engineering or Structural Engineering issued in the United Kingdom.
- (viii) An equivalent examination approved by the Board of Architectural Education for Eastern Africa.
- (ix) In the case of Quantity Surveyors a degree in Arts or Sciences from an Approved University.

1.8. Student Members - All Chapters:

As By-Laws

- 2. Other examination qualifications as may from time to time be approved by Council for qualification for Membership may be added to this Appendix.
- 3. For the purposes of By-Law 3.2 (ii) - a principal in private practice is defined as a person possessing the necessary qualifications to practice in one or more of the various branches of architecture, town planning, quantity surveying and engineering, who devotes himself to advising the public or to designing and supervising the construction of works

and for such purpose occupies and employs his own office and staff or in the case of a partner or consultant of a professional firm uses the office staff of the said firm and is not directly or indirectly concerned or interested in commercial or manufacturing or contracting interests such as would tend to influence his exercise of an independent professional judgement in the matters upon which he advises.

A professional firm is defined as a firm in which all the partners, or all the directors and shareholders of an unlimited company, are professional persons as defined in Appendix I - provided that other suitable persons who adhere to the rules of professional conduct incorporated in the Constitution may also be partners, directors or shareholders but in such event the majority of partners or directors shall be professional persons as defined in Appendix I who have financial control of the firm.