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GEOLOGISTS REGISTRATION ACT

No. 10 of 1993

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NO. 10 OF 1993

GEOLOGISTS REGISTRATION ACT

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SCHEDULE

NO. 10 OF 1993

GEOLOGISTS REGISTRATION ACT

[Date of assent: 16th December, 1993.]

[Date of commencement: 31st December, 1993.]

An Act of Parliament to provide for the registration of geologists and for connected purposes

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Geologists Registration Act, 1993.

2. Interpretation

In this Act, unless the context otherwise requires—

“**Board**” means the Geologists Registration Board established by section 3;

“**register**” means the register of geologists kept in accordance with section 6 and includes all or any particular parts thereof;

“**registered geologists**” means a person whose name is for the time being entered in the register as a registered geologist;

“**registered graduate geologist**” means a person whose name is for the time being entered in the register as a registered graduate geologist;

“**Registrar**” means the Registrar of the Board appointed under section 5.

PART II – ESTABLISHMENT OF THE GEOLOGISTS REGISTRATION BOARD

3. Establishment of the Geologists Registration Board

(1) There is hereby established a Board to be known as the Geologists Registration Board, which shall have responsibility for regulating the activities and conduct of registered geologists in accordance with the functions and powers conferred upon it by this Act.

(2) The Board shall—

- (a) be a body corporate with perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued;
- (c) for and in connection with the purposes of this Act be capable of acquiring, holding and disposing of movable and immovable property in its corporate name.

(3) The provisions of the Schedule shall have effect as to the constitution and proceedings of the Board and otherwise in relation to the Board.

4. Limitation of liability of members

No member of the Board shall be personally liable for any act or default of the Board done or omitted in good faith in the course of carrying out the responsibilities and functions of, or exercising the powers conferred upon, the Board.

PART III – THE REGISTRAR AND THE REGISTER

5. Appointment of Registrar

The Minister shall appoint a Registrar of the Board who may be a public officer, and who shall hold and vacate office in accordance with the terms of his appointment.

6. Register of geologists

(1) The Registrar shall keep and maintain a register in which the name of every person entitled to have his name entered therein shall be entered as soon as is practicable after his being accepted by the Board for registration, showing against his name—

- (a) the date of entry;
- (b) his address;
- (c) his qualifications;
- (d) the geological discipline in which he is registered as the case may require; and
- (e) such other particulars as the Board may from time to time direct.

(2) The register shall be kept and maintained in as many different parts as the Board shall from time to time direct:

Provided that the names of registered geologists shall be entered in a separate part of the register from the part in which the names of registered graduate geologists are entered.

(3) All changes in the particulars registered under subsection (1) shall be entered in the register by the Registrar.

7. Publication of register and list

(1) The Registrar shall cause to be published in the *Gazette*, as soon as may be practicable after registration, the name, address and qualifications of each registered geologist and, subject to the directions of the Board, he may cause to be so published any amendment to or deletion from register.

(2) The Registrar shall cause to be published in the *Gazette*, at the beginning of each year, a list containing the names, addresses and qualifications of all registered geologists remaining on the register at the close of the previous year.

8. Publication of *prima facie* evidence of registration

A publication under section 7 shall be *prima facie* evidence that the persons named therein are registered under this Act, and the deletion from the register of the name of any person from such publication, shall be *prima facie* evidence that such person is not so registered.

9. Inspection of register

Any person may inspect the register and any documents relating to any entry therein, and may obtain from the Registrar a copy of, or an extract from, the register or any such document, on payment of the prescribed fee.

10. Proof of documents

(1) In any legal proceedings, a paper purporting to be a copy of, or an extract from, the register or any document kept or published by the Registrar, and purporting to be certified by the Registrar to be a true copy or extract, shall be admissible as *prima facie* evidence of the contents of the register or document.

(2) No process for compelling the production of the register or any document kept by the Registrar shall issue from any court except with the leave of that court, and any such process which is so issued shall bear a statement that it was issued with the leave of the court.

(3) The Registrar shall not in any legal proceedings to which he is not a party, be compellable—

- (a) to produce the register or any document if its contents can be proved under subsection (1); or
- (b) to appear as a witness to prove any entry in the register, the matters recorded in the register or any such document,

unless the court for special cause so orders.

PART IV – REGISTRATION**11. Qualifications for registration**

(1) Subject to this Act, a person shall be entitled, on making an application to the Board in the prescribed form and on payment to the Board of the prescribed fee, to be registered under this Act and to have his name entered in the register as a registered geologist if he is—

- (a) a member of a Geologists Society the membership of which is recognized for the time being by the Board as furnishing a sufficient guarantee of academic knowledge of, and practical experience in, geological sciences; or
- (b) a person who—
 - (i) is the holder of a degree, diploma or licence of a university or school of geological sciences which may be recognized for the time being by the Board as furnishing sufficient evidence of an adequate academic training in geological sciences; and
 - (ii) has had not less than two years' practical experience of such a nature as to satisfy the Board as to his competence to practise as a registered geologist:

Provided that not less than two years of the practical experience required by this subparagraph shall have taken place after obtaining the academic qualifications specified in subparagraph (i).

(2) Subject to this Act, a person shall be entitled, on making an application to the Board in the prescribed form and on payment to the Board of the prescribed

fee, to be registered under this Act and to have his name entered in the register as a registered graduate geologist if he is a person to whom subsection (1)(b)(i) applies but is not yet a person to whom either subsection (1)(a) or subsection (1)(b)(ii) applies.

(3) Once a person has been registered as a registered graduate geologist under subsection (2) he shall be deemed for all purposes to have been accepted by the Board as being academically qualified for registration as a registered geologist and subsequent acceptance of his name for registration as a registered geologist under subsection (1)(b)(ii) as distinct from its acceptance under the other provisions of subsection (1) shall not be challenged.

(4) The Board may require an applicant for registration to satisfy it that his professional and general conduct have been such as, in the opinion of the Board, to make him a fit and proper person to be registered under this Act and the Board may direct the Registrar to postpone the registration of an applicant until it is so satisfied.

12. Temporary registration

(1) Where a person satisfies the Board—

- (a) that he is not ordinarily resident in Kenya;
- (b) that he is or intends to be present in Kenya in the capacity of a geologist for the express purpose of carrying out specific work for which he has been engaged; and
- (c) that he is, or immediately before entering Kenya was, in practice as a geologist in such a capacity as to satisfy the Board of his fitness to serve the public as a registered geologist,

the Board may, if it thinks fit, direct that such person shall be registered either for a period not exceeding one year or for the duration of any specific work.

(2) An application for registration under this section shall be in the prescribed form and accompanied by the prescribed fee, and the Board may require the applicant to appear before it for the purposes of considering his application and shall require every applicant to produce documentary evidence of his work or employment immediately prior to his entering Kenya.

(3) Registration of a person under this section shall continue only for the period or for the duration of the work specified by Board and the decision of the Board as to whether or not the work has terminated shall be conclusive.

(4) A person registered under this section shall, in relation to the period or the work specified and to things done or omitted in respect thereof, be treated as not being so registered.

13. Power to remove from and correct register

(1) The Board may at any time direct that the name of a person be removed from the register where such person has—

- (a) failed, within a period of six months from the date of an inquiry sent by the Registrar by prepaid registered letter to the address appearing in the register against his name, to notify the Registrar of his current address; or

- (b) requested that his name be removed from the register, in which case such person may be required to satisfy the Board by affidavit lodged with the Registrar that no criminal proceedings or disciplinary proceedings under section 15 are being or are likely to be taken against him; or
- (c) been found by the Board to be guilty of such misconduct as is described in section 15.

(2) The Registrar shall remove from the register the name of every person who dies and shall remove from the register any entry which has been incorrectly or fraudulently made.

(3) Except in the circumstances specified in subsection (1)(a) and in subsection (2), the removal of a person's name from the register shall be notified by the Registrar to the person by prepaid registered letter addressed to the address appearing in the register against his name immediately before the removal.

(4) Subject to section 14, a person whose name has been removed from the register shall cease from the date of such removal to be registered for the purposes of this Act.

14. Restoration to the register

(1) Where the name of any person has been removed from the register under section 13, the name of that person shall not be again entered in the register except by the direction of the Board.

(2) Where the name of any person has been removed from the register or the effect of the registration of any person has been suspended in terms of paragraph (b) of subsection (1) of section 15, the Board may, either of its own motion or on the application of the person concerned made in the prescribed manner, and in either case after holding such inquiry as the Board thinks fit, direct that—

- (a) the removal from the register be confirmed; or
- (b) the name of that person be restored to the register; or
- (c) the suspension of the effect of the registration of that person be terminated.

(3) A direction given by the Board under subsection (2) may include provision for the date upon which a restoration to the register or the termination of a suspension of the effect of registration shall take effect and for the payment by the person concerned of such fee, not exceeding the fee payable on an application, as the Board may determine.

15. Powers to suspend registration, etc.

(1) If a registered geologist or registered graduate geologist is convicted of an offence under this Act, or is, after due inquiry held by the Board, found to have been guilty of an act or omission amounting to improper or disgraceful conduct in a professional respect, the Board may—

- (a) caution or censure such registered geologist or registered graduate geologist; or

- (b) direct that, during such period as the Board may specify, his registration shall not have effect; or
- (c) direct that his name be removed from the register.

(2) For the purposes of this section a registered geologist who describes himself as a consulting geologist shall be guilty of improper conduct in a professional respect if he can be shown to have any direct or indirect interest in commercial, manufacturing or contracting interests such as would tend to influence his exercise of independent professional judgment in the matters upon which he advises.

(3) For the purposes of this section, a registered graduate geologist who describes himself in any way so as to imply that he is, or so as to lead any person to think that he is, qualified for registration as a registered geologist, shall be guilty of improper or disgraceful conduct in a professional respect.

16. Procedure at inquiry

(1) Upon any inquiry held by the Board under this Act, the person whose conduct is being inquired into shall be entitled to appear and to be heard in person or to be represented by an advocate.

(2) For the purposes of proceedings at any inquiry held by it, the Board shall have power—

- (a) to administer oaths;
- (b) to summon persons to attend and give evidence; and
- (c) to order the production of documents.

(3) All summonses and orders issued under the hand of the chairman or vice-chairman of the Board shall be deemed to be issued by the Board.

(4) The chairman, or in his absence the vice-chairman, of the Board shall record or cause to be recorded a summary of any oral evidence given at an inquiry held by the Board.

(5) Subject to this section and to any regulations made under section 22, the Board shall have power to regulate its own procedure at an inquiry held by it.

(6) For the purposes of Chapter XI of the Penal Code (Cap. 63), an inquiry held by the Board shall be deemed to be a judicial proceeding.

17. Disobedience of summons and refusal to give evidence

Any person upon whom summons or an order issued under section 16 has been served who refuses or omits without sufficient cause to attend at the time and place mentioned therein, or refuses without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief all questions put to him by or with the concurrence of the Board, or refuses or omits without sufficient cause to produce any documents in his possession or under his control which are specified in the order, shall be guilty of an offence and liable to a fine not exceeding one thousand shillings:

Provided that every person giving evidence before the Board shall, in respect of any evidence given by him or any document produced by him, be entitled to all the privileges to which he would be entitled as a witness before the High Court.

18. Appeals

(1) Any person aggrieved by a decision of the Board to refuse to register his name, or to remove the name of a registered geologist or a registered graduate geologist from the register, or to suspend the effect of registration of his name, or to refuse to restore his name to the register, may appeal to the High Court against the decision of the Board and in any such appeal the High Court may give such directions in the matter as it thinks proper, and any order of the High Court under this section shall be final.

(2) The Board may appear as respondent and be heard on any appeal against its decision and, for the purpose of enabling directions to be given as to the costs of any such appeal, the Board shall be deemed to be a party thereto, whether or not it appears at the hearing of the appeal.

(3) Until rules of court are made under the Judicature Act (Cap. 8), for such appeals, and subject to any such rules when made, the provisions of the Civil Procedure Act (Cap. 21) shall apply as if the decision or direction of the Board were a decree of a court exercising original civil jurisdiction.

PART IV – MISCELLANEOUS PROVISIONS**19. Effect of registration**

(1) Every person whose name has been entered in the register as a registered geologist shall, so long as his name remains in the register as a registered geologist, be entitled to adopt and use the style and title "Registered Geologist", or such contraction thereof as the Board may approve, and to offer his services to the public for gain or reward or by way of trade in the geological discipline in which he is registered.

(2) Every person whose name has been entered in the register as a registered geologist shall, so long as his name remains in the register as a registered graduate geologist, be entitled to adopt and use the style or title "Registered Graduate Geologist", or such contraction thereof as the Board may from time to time approve, and may offer his services for employment in the geological discipline in which he is registered.

20. Restrictions on use of titles or words to describe non-registered persons, etc.

(1) Any person who, whether or not he is otherwise qualified as or to be a geologist of any description, not being registered under this Act—

- (a) pretends to be a registered geologist or a registered graduate geologist; or
- (b) subject to section 23, takes or uses in any way the style or title of "geologist" in describing his occupation or his business or any other name, style, title, addition or description implying, whether in itself or in the circumstances in which it is used, that such person is a geologist; or
- (c) in any way holds himself out to be a geologist of any description,

shall be guilty of an offence and liable to a fine not exceeding twenty thousand shillings.

(2) Any person who—

- (a) being registered under this Act as a registered graduate geologist, in any way pretends to be or to act as a registered geologist; or
- (b) being registered under this Act in one or more disciplines, pretends to be, or acts as if he was, registered in another discipline,

shall be guilty of an offence and liable to a fine not exceeding ten thousand shillings.

21. Dishonest practices

Any person who—

- (a) fraudulently makes, or causes or permits to be made, any false or incorrect entry in the register or any copy thereof; or
- (b) fraudulently procures or attempts to procure himself or any other person to be registered; or
- (c) knowingly and wilfully makes any statement which is false in a material particular, or which is misleading, with a view to gaining any advantage, concession or privilege under this Act, whether for himself or for any other person,

shall be guilty of an offence and liable to a fine not exceeding ten thousand shillings.

22. Regulations

Subject to section 18(3), the Minister may make regulations generally for the better carrying out of the provisions of this Act, and, without prejudice to the generality of the foregoing, any such regulations may provide for—

- (a) the conduct of the business of the Board and the procedure to be followed by the Board in any inquiry under this Act;
- (b) the appointment by the Board from amongst its members of sub-committees and the co-option of persons thereto;
- (c) the duties of the Registrar;
- (d) the issue of certificates of registration;
- (e) the fees to be paid for anything which may be done under this Act;
- (f) the forms to be used under this Act;
- (g) the exemption of any persons or class of persons from all or any of the provisions of this Act, provided they comply with such conditions as may be prescribed by the regulations; and
- (h) prescribing anything which under this Act may be prescribed.

23. Exemptions

(1) Nothing in this Act shall prohibit or render liable to prosecution any person who is registered in accordance with the provisions of the Architects and Quantity Surveyors Act (Cap. 525) or Engineers Registration Act (Cap. 530) from performing any function or exercising any power which he may properly perform as an architect, a quantity surveyor, or engineer as the case may be.

(2) The Minister may by regulation made under section 22 exempt certain persons, or classes of persons in particular geological disciplines or in particular occupations or employment, from having to comply with any or all of the provisions of this Act.

SCHEDULE

[Section 3(3).]

1. Membership of the Board

(1) The Board shall consist of seven members who shall be persons eligible for registration under this Act and, where practicable, resident in Kenya.

(2) The members of the Board shall be—

- (a) four persons appointed by the Minister; and
- (b) three persons appointed by the Geological Society of Kenya.

2. Tenure of office of members of Board

(1) Every year one of the members of the Board in the service of the Government and one of the members not being in the service of the Government shall retire, and the member to retire in each year shall be the one who has been in office longest; and where two or more members have been in office for the same length of time the member to retire shall be chosen by ballot.

(2) A member may resign by giving to the Minister notice in writing of his intention to do so.

(3) Retiring members are eligible for reappointment.

(4) Casual vacancies shall be filled as they arise, and for the purpose of subparagraph (1) a member appointed to fill casual vacancy shall be treated as if he were the member he was appointed to replace.

3. Chairman and vice-chairman of the Board

(1) The Minister shall nominate one member to be chairman of the Board, and the vice-chairman shall be elected by the Board from among its members immediately after the annual appointments of members have taken place.

(2) In the absence of the chairman, or in the event of his incapacity from illness or any other cause, the functions of the chairman shall be performed by the vice-chairman.

4. Meetings of the Board

(1) The chairman of the Board shall convene an ordinary meeting of the Board whenever it may be necessary or expedient for the transaction of its business and shall appoint a suitable time, place and date for the holding of each meeting.

(2) The chairman of the Board may convene a special meeting of the Board at any time, and shall cause a special meeting of the Board to be held within twenty-one days after receiving a written request to do so signed by not fewer than three members of the Board.

5. Quorum and voting at meetings of the Board

(1) The chairman or vice-chairman and three other members of the Board shall constitute a quorum at any meeting of the Board.

(2) All acts, matters and things authorized to be done by the Board shall be decided by resolution at a meeting of the Board at which a quorum is present.

(3) A decision of the majority of members present and voting at a meeting of the Board shall be deemed to be a decision of the Board.

(4) Every member of the Board shall have one vote, and in the event of an equality of votes the person presiding shall have a second or casting vote in addition to his deliberative vote.

(5) Notwithstanding subparagraph (2), where the chairman so directs, a decision may be made by the Board without a meeting by circulation of the relevant papers among all the members and the expression in writing of their views, but any member may require that a decision shall be deferred for consideration at a meeting of the Board.

6. Vacancies

The validity of any proceeding of the Board shall not be affected by any vacancy among the membership or by any defect in the appointment of a member.

7. Minutes of meetings and appointment of secretary

(1) Minutes in proper form of each meeting of the Board shall be kept; and shall be confirmed by the Board at the next meeting and signed by the person presiding at the meeting.

(2) The Minister may appoint a suitable person to be secretary to the Board for the purposes of attending meetings of the Board, keeping the minutes of the meetings and performing such other secretarial duties as the Board may be required.

8. Procedure

Subject to this Schedule and to any regulations made under section 22, the Board may regulate its own procedure.

9. The seal of the Board

The seal of the Board shall not be affixed to any instrument except in the presence of the chairman or the vice-chairman and of one other member of the Board.

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SCHEDULE – FORMS

GEOLOGISTS REGISTRATION REGULATIONS, 2001

[L.N. 105/2001.]

1. Citation

These Regulations may be cited as the Geologists Registration Regulations, 2001.

2. Notice of meeting of Board

Except in case of an emergency, at least fourteen days' notice shall be given for an ordinary meeting of the Board.

3. Improper or disgraceful conduct

Subject to the provisions of sections 15, 20 and 21 of the Act, the Board may declare any general course of conduct to be improper or disgraceful conduct in a professional respect.

4. Initiation of inquiry

(1) An inquiry into the conduct of a registered person may be instituted by the Board upon the Board's initiative or upon complaint addressed to the Board in writing, made by or on behalf of any person alleging improper or disgraceful professional conduct on the part of a registered person.

(2) The Board may conduct such inquiry or may refer the inquiry to a subcommittee appointed by the Board for that purpose.

5. Further information from complainant

The Board may require the complainant to file further particulars of any of the matters complained of and may require the complaint or any part of it to be verified by affidavit.

6. Notification of complainant

Upon receipt of a complaint against a registered person, the Board shall notify the person complained of giving grounds of the complaint under cover of registered letter, sent to his last known address.

7. Period of reply to complaint

The Board may call upon the person whose conduct is complained of or who is under investigation to file within fourteen days, an explanation in answer to the complaint and may require such explanation to be verified by affidavit.

8. Administration of oath at inquiry

The Board shall have the power to administer the oath prescribed on Form 1 in the Schedule to these Regulations to all persons conducting and appearing at an inquiry before commencement of the inquiry.

PART II – COMMITTEES OF THE BOARD AND CO-OPTION OF MEMBERS**9. Appointment of subcommittees**

(1) The Board shall have power to appoint committees to consider such matters and perform such duties as the Board may direct.

(2) Committees appointed under this regulation shall consist of one or more members of the Board and such other persons as the Board or the committee with the approval of the Board may co-opt.

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(3) The Board may request co-opted members to give an undertaking not to divulge any information gained as a result of being members of a committee, except to the Board.

(4) The Board may adopt, amend or otherwise deal with reports of its committees.

(5) The Board may dissolve any committee of the Board when it deems it necessary to do so.

PART III – DUTIES OF THE REGISTRAR**10. Custody of seal**

The Registrar shall be the custodian of the common seal of the Board.

11. Management of the secretariat

The Registrar shall be responsible for the day to day management of the secretariat of the Board.

PART IV – THE REGISTRATION PROCESS**12. Method of application**

Every application for registration under the Act shall be made in writing in the English language to the Registrar and shall be as prescribed in Form 2 of the Schedule and be accompanied by the prescribed fee.

13. Details of application

An applicant for registration shall furnish the Board with such information and such corroborative evidence of the particulars given in his application as the Board may consider necessary for the purpose of considering the application.

14. Consideration of applications

Every application shall so far as is practicable be brought before the Board at the next meeting after the receipt thereof and the Board may consider such application or refer it to a subcommittee.

15. Board may call for further information

The Board may require an applicant for registration to furnish further information or evidence of eligibility for registration as it may think fit and may require the applicant to attend personally a meeting of the Board or its committee at his own expense.

16. Withholding information

Where an applicant without good cause refuses to furnish any further information which the Board may call for or fails to attend personally a meeting of the Board after receiving due notice, the Board may refuse to consider further the application.

17. Decision

The decision of the Board on an application for registration shall be communicated to the applicant by letter addressed to him at the postal address appearing on his application form.

18. Issue of registration certificate

Upon the of entry of a name in the register a certificate of registration which shall bear a serial number of the entry in the register in the form set out in Form 3 in the Schedule, shall be duly completed and the common seal impressed thereon, and the entry in the

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register shall be similarly attested, and the certificate (which shall remain the property of the Board) shall thereupon be delivered to the registered person to be collected personally or to be sent by registered mail.

19. Replacement of certificate lost by Board

In the event of a registered certificate being lost in the mail before it is received by the registered person and such loss or destruction if proved to the satisfaction of the Board, a duplicate of such registration certificate may be supplied to the registered person without charge.

20. Replacement of certificate lost by registered person

In the event of a registered certificate being lost or destroyed and such loss or destruction is proved to the satisfaction of the Board, a duplicate of such registration certificate may be supplied to the registered person upon payment of a fee as set out in Part V of these Regulations.

21. Change of address

Every person whose name is entered in the register shall keep the Registrar informed of any change of address and the Registrar shall amend the register accordingly.

22. Certificate to be returned to the Board

Upon removal of the name of a registered person from the register as per section 13 of the Act or upon suspension of a registered person as per section 15 of the Act, such person, shall forthwith deliver up his registration certificate to the Board.

23. Power to sue for the return of certificate

Where a certificate is not returned in accordance with regulation 22 upon demand by registered letter to the last known address of the person to whom the certificate relates, the Board shall have power to take legal action for the recovery thereof.

24. Penalty for refusal to return certificate

Any person who fails to deliver up a certificate as required by regulation 22 of these Regulations shall be guilty of an offence and liable to a fine not exceeding five thousand shillings.

25. Endorsement of register

In the event of the suspension of a registered person or the removal of the name of a registered person from the register for any cause, the register shall be suitably endorsed by the Registrar, and the Registrar shall publish in the *Gazette* a notice of such suspension or removal.

26. Method of dealing with returned certificates

Upon the return of a certificate of registration the Registrar shall—

- (a) in the case of suspension, hold the certificate until the person to whom it relates has been reinstated;
- (b) in the case of a person whose name is removed from the register for reasons other than death, cancel the certificate;
- (c) in the case of deceased person endorse the certificate with a note of the death and therefore may return the certificate to the representative of the deceased person if so required.

[Subsidiary]

PART V – FEES AND OTHER FINANCIAL MATTERS

27. Application fee for registration as a registered geologist

(1) On application to the Board for registration as a registered Geologist subject to section 11(1) of the Act, an applicant shall pay to the Board a non-refundable fee of one thousand shillings.

(2) Upon being accepted for registration as a registered geologist, an applicant shall pay to the Board a registration fee of two thousand shillings.

28. Annual renewal fee for a registered geologist

After registration, a registered geologist shall pay an annual certificate renewal fee of five hundred shillings as long as his name remains in the register.

29. Application fee for registration as graduate geologist

On application to the Board for registration as a registered graduate geologist as per section 11(2) of the Act, the applicant shall pay to the Board a non-refundable fee of five hundred shillings.

30. Annual renewal fee for a registered graduate geologist

After registration, a registered graduate geologist shall pay an annual certificate renewal fee of one hundred and twenty-five shillings as long as his name remains in the register.

31. Application for temporary registration

On application to the Board for registration under section 12(2) of the Act, the applicant shall pay to the Board a fee of one thousand shillings.

32. Penalty for failure to pay annual fee

Failure to pay annual renewal fees shall render a registered person liable to suspension and removal from the register.

33. Fee for inspection of the register

An inspection fee of five hundred shillings shall be paid for inspection of the register as per section 9 of the Act.

34. Fee for replacement of lost certificate

On application for replacement of a certificate as per regulation 20, the applicant will pay a fee of five hundred shillings.

35. Banking

All moneys received on account of the Board shall be received by the Registrar and shall be payable to an account in the name of the Board at such bank as the Board shall direct and no money shall be paid out except by the direction of the Board and by a cheque drawn by the Registrar and countersigned by the Chairman or in his absence the Vice-chairman or some other member of the Board specially appointed by the Board.

36. Books of account

The Board shall cause to be kept proper books of account which shall be audited annually as the Board shall direct and a balance sheet shall be prepared annually.

37. Disbursements

All disbursement from the funds of the Board shall be submitted to the Board for approval before payments are made.

38. Investments

The Board shall cause any accumulated funds to be placed on deposit at a bank or invested from time to time in such manner as the Board may decide.

39. Expenses of members

The Board may pay out of its fund reasonable transport and subsistence allowance to any member of the Board who may be authorized by resolution of the Board to visit any place in the course of his duties as a member of the Board.

40. Expenses of employees of the Board

The Board may pay out of its funds reasonable allowances to its staff and members for attending meetings of the Board.

PART VI – GENERAL

41. Application for reconsideration

The application to the Board by a person for reconsideration of suspension as per section 14(2) of the Act shall be by a letter.

42. Form for application for inspection of register

The application for inspection of the register as per section 9 of the Act shall be as prescribed in Form 4 in the Schedule.

43. Taking oath of office

Upon appointment, members of the Board and *ex officio* members of the Board shall take the Oath of Office prescribed in Form 5 in the Schedule.

44. Communication

All communications to the Board shall be addressed to the Registrar at the postal address of the Board.

45. Design of common seal

The common seal of the Board as per section 3(2)(a) of the Act shall be in the form illustrated in Form 6 in the Schedule.

46. Documents bearing seal

Any document bearing the seal of the Board and attested as per section 9 of the Schedule to the Act shall be sufficient evidence of the act of the Board.

47. Authentication of documents under seal

Every document of the Board not required by law to be under seal shall be sufficiently authenticated by the signature of the chairman or vice-chairman and the registrar.

Geologists Registration

[Subsidiary]

SCHEDULE

Form 1

(Regulation 8)

GEOLOGISTS REGISTRATION BOARD

OATH INQUIRY

I do solemnly and sincerely declare/swear as follows—

that the information I am about to give to the Board concerning the inquiry before it, is true and correct to the best of my knowledge.

I make this declaration/oath conscientiously believing the same to be true and according to the Oaths and Statutory Declarations Act.

Signed Date

Witness Name Witness signature

Date

Form 2

(Regulation 12)

GEOLOGISTS REGISTRATION BOARD

APPLICATION FOR REGISTRATION AS A GEOLOGIST/GRADUATE GEOLOGIST*

THE REGISTRAR
GEOLOGISTS REGISTRATION BOARD
P.O. BOX 30009
NAIROBI, KENYA

Surname
Other Names
Title (Dr., Mr., Mrs., Miss)
Date of birth
Nationality
Postal address
Qualifications
Geological discipline
Name of employer and address

All information to be printed in the English language.

Table with 6 columns: School or University, Location, From, To, Diploma/Degree Received, Month and Year. It contains three empty rows for data entry.

Geologists Registration

[Subsidiary]

SCHEDULE—continued

(A separate sheet may be used if necessary)

Note.—The application must be accompanied by—

- (a) Copies of the original Degree/Diploma certificates and transcripts duly certified by a Commissioner of Oaths.
- (b) Curriculum Vitae.
- (c) Letter from a geological society.
- (d) Abstracts/contents page of publications/papers/technical reports (if any).

SPECIAL QUALIFICATIONS

MEMBERSHIP OF GEOLOGICAL INSTITUTIONS/ORGANIZATIONS

Experience—

I submit below a chronological history of my practical experience including the name and address of each company and description of each position held. (A separate sheet may be used if necessary). This should be certified by one of the referees named below.

References—

I append names and addresses of three Registered Geologists, to whom reference may be made regarding my experience and character.

- 1. Signature
- 2. Signature
- 3. Signature

Note.—Persons named as referees must be Registered Geologists.

Application Fee—

A non-refundable application fee of KSh. 1,000/500* must accompany the application. Only bankers cheques are acceptable. (Delete where not applicable)

I hereby declare that the foregoing statements are true in every respect and that I have read and understood the Act and its regulations and understand that if registered I shall be bound thereby and by any amendments thereto as long as my name remains on the Register.

Signature of applicant Date

(FOR OFFICE USE ONLY)

Deposit Receipt No Date

Board minute number Registration Number

Geologists Registration

[Subsidiary]

SCHEDULE—continued

Form 3

(Regulation 18)

GEOLOGISTS REGISTRATION BOARD
CERTIFICATE OF REGISTRATION

This is to certify that ... (full names in block letters)
is registered as a geologist in accordance with the provisions of Section 11(1) of the Geologists
Registration Act. In witness whereof the Common Seal of the Geologists Registration Board is
hereunto affixed this day of ... Year ...
Registration No. ...
(Seal)

Chairman

Member

Registrar

Form 3

(Regulation 18)

GEOLOGISTS REGISTRATION BOARD
CERTIFICATE OF REGISTRATION

This is to certify that ... (full names in block letters)
is registered as a geologist in accordance with the provisions of Section 11(2) of the Geologists
Registration Act. In witness whereof the Common Seal of the Geologists Registration Board is
hereunto affixed this day of ... Year ...
Registration No. ...
(Seal)

Chairman

Member

Registrar

Form 4

(Regulation 42)

GEOLOGISTS REGISTRATION BOARD
APPLICATION FOR INSPECTION OF THE REGISTER

Date ...
I ... of ...
ID. No ... hereby apply for the inspection of
the Register and documents relating to the entries therein and may obtain from the Register a copy
of the Register or an extract or any such documents as authorised on payment of an inspection fee
of KSh. 500.

Payment Received. Receipt No. ... Signature of the Registrar ...

Date ... Stamp of the Board ...

SCHEDULE—continued

Form 5

(Regulation 43)

GEOLOGISTS REGISTRATION BOARD

OATH OF OFFICE

I understand that this Oath of Office covers material published in a speech, lecture, or radio or television broadcast, or in Press, or in book form. I am aware that I should not divulge any information, gained by me as a result of my appointment, to any unauthorized person, either orally or in writing without the previous official sanction in writing of the Board, to which written application should be made and two copies of proposed publication be forwarded. I understand also that I am liable to be prosecuted if I publish without official sanction any sketch, plan, model, article, note or official documents which are no longer needed for any official duties, and that these provisions apply not only during the period of my appointment but also after my appointment has ceased.

Signed Date

Witness Name Witness signature

Date

Form 6

(Regulation 45)

GEOLOGISTS REGISTRATION BOARD

COMMON SEAL OF THE GEOLOGISTS REGISTRATION BOARD



