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*Kenya Gazette Supplement No. 64 (National Assembly Bills No. 17)*



REPUBLIC OF KENYA

# ***KENYA GAZETTE SUPPLEMENT***

**NATIONAL ASSEMBLY BILLS, 2024**

**NAIROBI, 8th March, 2024**

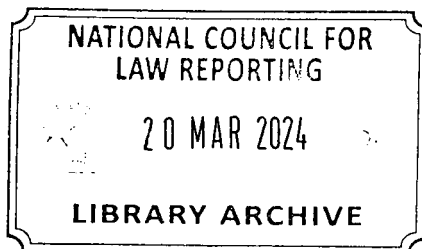
## **CONTENT**

Bill for Introduction into the National Assembly —

PAGE

The Public Relations and Communication Management Bill, 2024 .....

415



**THE PUBLIC RELATIONS AND  
COMMUNICATION MANAGEMENT BILL, 2024  
ARRANGEMENT OF CLAUSES**

*Clause*

**PART I—PRELIMINARY**

- 1—Short title.
- 2—Interpretation.
- 3—Objects of the Act.

**PART II— ESTABLISHMENT OF THE INSTITUTE  
OF PUBLIC RELATIONS AND COMMUNICATION  
MANAGEMENT**

- 4—Establishment of the Institute.
- 5—Functions of the Institute.
- 6—Powers of the Institute.
- 7—Council of the Institute.
- 8—Functions of the Council.
- 9—President of the Institute.
- 10—Vacancy in the Office of the President.
- 11—Vacancy in the Office of a member.
- 12—Tenure.
- 13—Conduct of Affairs and Business of the Institute.
- 14—Remuneration of Council members.
- 15—Chief Executive Officer.
- 16—Functions of the Chief Executive Officer.
- 17—Removal of the Chief Executive Officer and vacancy in the Office.
- 18—Staff of the Institute.

**PART III—REGISTRATION AND MEMBERSHIP  
OF THE INSTITUTE**

- 19—Qualifications for registration as a member.
- 20—Application for registration.
- 21—Member categories.

22—Honorary Fellow.

23—Member rights.

24—Fees.

25—Professional practice.

26—Practicing certificate.

27—Registration of firms.

## **PART V—DISCIPLINARY PROVISIONS**

28—Code of Ethics.

29—Professional misconduct.

30—Disciplinary Committee.

31—Complaints.

32—Proceedings of the Disciplinary Committee.

33—Recommendations of the Disciplinary Committee.

34—Appeal.

## **PART VI—FINANCIAL PROVISIONS**

35—Funds of the Institute.

36—Financial year.

37—Annual estimates of revenue and expenditure.

38—Accounts and Audit.

## **PART VII—MISCELLANEOUS PROVISIONS**

39—Offences and Penalties.

## **PART VIII—SAVINGS AND TRANSITION PROVISIONS**

40—Savings and Transition.

## **SCHEDULES**

### **FIRST SCHEDULE—CODE OF ETHICS**

**SECOND SCHEDULE—CONDUCT OF  
AFFAIRS AND  
BUSINESS OF  
THE  
INSTITUTE**

**THIRD SCHEDULE—PROCEDURE OF  
THE  
DISCIPLINARY  
COMMITTEE**

**THE PUBLIC RELATIONS AND  
COMMUNICATION MANAGEMENT BILL, 2024**

**A Bill for**

**AN ACT of Parliament to establish the Institute of Public Relations and Communication Management, to regulate the practice of public relations and communication management, and for connected purposes**

**ENACTED** by Parliament of Kenya, as follows—

**PART I—PRELIMINARY**

**1.** This Act may be cited as the Public Relations and Communication Management Act, 2024.

Short title.

**2.** In this Act, unless the context otherwise requires—

Interpretation.

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to information and communication;

“Chief Executive Officer” means the person appointed as such under section 15;

“Code of Ethics” means the Code of Ethics specified under the First Schedule to this Act;

“Council” means the Council of the Institute established under section 7(1);

“Disciplinary Committee” means the Committee constituted under section 30;

“Examination Board” means the Kenya Accountants and Secretaries National Examination Board established under section 14 of the Accountants Act;

No. 15 of  
2008.

“Institute” means the Institute of Public Relations and Communication Management established under section 4;

“member” means a person registered as such under this Act;

“practicing certificate” means a practicing certificate issued by the Council pursuant to section 26;

“practitioner” means a person registered as a member of the Institute in good standing and holds a valid practicing certificate; and

“President” means the President of the Institute elected pursuant to section 9(1).

**3. The objects of this Act are—**

Objects of the Act.

- (a) to regulate the practice of public relations and communication management;
- (b) to protect the interest of the public by ensuring transparency, accuracy and fairness in all public relations and communication management activities; and
- (c) to promote provision of public relations and communication management services to the public.

**PART II— ESTABLISHMENT OF THE INSTITUTE OF PUBLIC RELATIONS AND COMMUNICATION**

**4. (1)** There is established an Institute to be known as the Institute of Public Relations and Communication Management.

Establishment of the Institute.

(2) The Institute shall be the successor of the Public Relations Society of Kenya established under the Societies Act.

Cap. 108.

(3) The Institute shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) purchasing, acquiring, holding or disposing of property;
- (c) borrowing money; and
- (d) doing or performing all such other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done by a body corporate.

**5. The functions of the Institute shall be—**

Functions of the Institute.

- (a) to register members and regulate the members' professional conduct;
- (b) to establish and promote standards of professional competence and practice amongst its members;
- (c) to enforce compliance of professional and ethical guidelines, rules and standards amongst professionals;

- (d) to conduct general meetings, annual general meetings and special general meetings;
- (e) to promote, maintain and enhance the reputation and standing of the profession;
- (f) to collaborate with relevant training institutions for professional education and training;
- (g) to advise Government on matters relating to public relations and communication management;
- (h) to register the public relations and communication management firms;
- (i) to develop and facilitate adequate training programmes for practitioners;
- (j) to collaborate with national, regional and global bodies in the matters of public relations and communication management;
- (k) to establish mechanisms to resolve disputes within the profession;
- (l) to undertake research in public relations and communication management practice and related disciplines;
- (m) to establish chapters or other organizational structures to facilitate the discharge of the functions of the Institute; and
- (n) to do anything incidental to or conducive to the performance of any of the preceding functions.

**6.** The Institute shall have the powers to do all things necessary for the proper and effective achievement of its objects and the performance of its functions.

Powers of the Institute.

**7. (1)** There is established a Council of the Institute which shall, subject to this Act, have general management and control of the Institute.

Council of the Institute.

(2) The Council shall consist of—

- (a) a President elected in accordance with section 9 (1);
- (b) the Principal Secretary for the time being responsible for matters relating to information and communication or a designated representative;

- (c) one Fellow member nominated by the Fellow members of the Institute;
- (d) eight other members elected in accordance with paragraph 2(1) of the Second Schedule; and
- (e) the Chief Executive Officer who shall be an *ex-officio* member and the Secretary to the Council.

**8.** (1) The functions of the Council shall be—

Functions of the Council.

- (a) to develop and enforce administrative guidelines, disciplinary code, code of ethics and standards for the purposes of this Act;
- (b) to approve policies, budgets, programs and strategies of the Institute;
- (c) to determine fees for applications, registration and membership to the Institute; and
- (d) to perform such other functions as may be expedient for the discharge of the functions of the Institute under this Act.

(2) Subject to this Act, the Council may, by resolution delegate to committee of the Council or to a member, officer, employee or agent of the Council, the exercise of the powers or the performance of a function or a duty of the Council under this Act.

(3) The Council shall conduct its business in the manner specified in the Second Schedule.

**9.** (1) There shall be a President of the Institute who shall be elected by members at the Annual General Meeting.

President of the Institute.

(2) A person is qualified to be elected as the President of the Institute, if that person—

- (a) has been a practitioner for a continuous period of at least ten years;
- (b) has served as a member of the Council for at least one term; and
- (c) has not been found liable for professional misconduct by the Disciplinary Committee in the three years immediately preceding the election.



(3) A person elected as the President shall hold office for a term of three years and shall not be eligible for re-election.

**10.**(1) The Office of the President shall become vacant if the holder—

Vacancy in the Office of the President.

- (a) dies or his or her term comes to an end;
- (b) resigns by a notice to the Council;
- (c) is convicted of a criminal offence and sentenced to a term of imprisonment exceeding six months;
- (d) is found guilty of professional misconduct; or
- (e) is unable to perform the functions of the office due to mental or physical infirmity.

(2) Where the Office of the President becomes vacant, another person shall be elected the president in accordance with section 9(1).

**11.**(1) The Office of a member of the Council, other than an *ex-officio* member, shall become vacant if the member—

Vacancy in the Office of a member.

- (a) dies or his or her term comes to an end;
- (b) resigns from the office by writing, to the President;
- (c) is absent without the permission of the Council from three or more consecutive ordinary meetings of the Council;
- (d) is convicted of a criminal offence and sentenced to a term of imprisonment exceeding six months;
- (e) is found guilty of professional misconduct; or
- (f) is unable to perform the functions of the office due to mental or physical infirmity.

(2) Where the Office of an elected member of the Council becomes vacant, another member shall be elected to fill the vacancy in accordance with paragraph 2(1) of the Second Schedule.

**12.** A Council member shall serve for a term of three years and shall be eligible for re-election for one further term of three years.

Tenure.

**13.** The conduct of affairs and business of the Institute shall be in accordance with the Second Schedule.

Conduct of affairs and business of the Institute.  
Remuneration of Council members.

**14.** The Council member shall be paid such remuneration and allowances as approved by members at the Annual General Meeting.

**15.** (1) There shall be a Chief Executive Officer of the Institute who shall be appointed by the Council.

Chief Executive Officer.

(2) The Chief Executive Officer shall serve on such terms and conditions as may be determined by the Council.

(3) A person is qualified to be appointed as the Chief Executive Officer if that person—

- (a) is a practitioner of at least seven years proven managerial experience; and
- (b) satisfies the requirements of Chapter Six of the Constitution.

(4) A person who is appointed as the Chief Executive Officer shall hold office for a period of three years and shall be eligible for reappointment for one further term of three years.

**16.** The Chief Executive Officer shall—

Functions of the Chief Executive Officer.

- (a) be responsible for the day-to-day management of the affairs of the Institute;
- (b) have general responsibility for the execution of strategies, programmes and policies of the Institute; and
- (c) have such other powers and duties as may be assigned by the Council.

**17.** (1) The Chief Executive Officer may be removed from Office by the Council if the Chief Executive Officer—

Removal of the Chief Executive Officer and vacancy in the Office.

- (a) is absent without the permission of the President from three or more consecutive ordinary meetings of the Council;
- (b) is convicted of a criminal offence and sentenced to a term of imprisonment exceeding six months;

- (c) is found guilty of professional misconduct; or
- (d) is unable to perform the functions of the office due to mental or physical infirmity.

(2) Where a vacancy occurs by reason of death or end of term of office, a person shall be approved to fill the vacancy in accordance with section 14(1) of this Act.

**18.** The Council may appoint such staff as may be necessary for the proper and efficient discharge of the functions of the Institute, upon such terms and conditions of service as the Council may determine.

Staff of the  
Institute

### **PART III—REGISTRATION AND MEMBERSHIP OF THE INSTITUTE**

**19.** (1) Subject to this Act, a person is qualified to be registered as member of the Institute, if that person—

Qualifications  
for registration  
as a member.

- (a) has been awarded by the Examination Board a certificate or other evidence confirming that the applicant has passed the final certified public relations and communications examination; or
- (b) holds other qualifications approved by the Council.

(2) Despite subsection (1), the Council may require a person making an application for registration to satisfy the Council, in such manner as it may direct, that the person has adequate knowledge and experience in the practice.

**20.** (1) A person wishing to be a member of the Institute shall apply to the Council for registration in the manner as shall be specified by the Council and accompanied by the requisite fee.

Application for  
registration.

(2) The Council shall, where an application is made, approve the application if it is satisfied that the person meets the criteria set out in section 18 of this Act.

**21.** (1) The membership of the Institute shall be in the following classes—

Member  
categories.

- (a) Fellows, comprising persons who become Fellows pursuant to an invitation under subsection (2) each of whom shall be titled “Fellow of the Institute of Public Relations and Communication Management Kenya” (designatory letter “FIPRC-K”);

- (b) Full members, comprising members with at least three years' experience in the practice of public relations and communication management and shall be titled "Member of the Institute of Public Relations and Communications Management Kenya (designatory letters "MIPRC-K")";
- (c) Associate members, comprising members with less than three years' experience in the practice of public relations and communication management and shall—
  - (i) be titled "Associate of the Institute of Public Relations and Communications Management Kenya" (designatory letters "AIPRC-K"); and
  - (ii) have no voting rights.
- (d) Trainee members, comprising of individuals not qualified to be registered under section 18, but who are undertaking professional studies in public relations and communication management and shall have no voting rights.

(2) Where the Council considers that a member of the Institute has fulfilled the established criteria for admission as a Fellow of the Institute, the Council may invite such member to become a Fellow of the Institute.

(3) The Council shall develop a framework, approved by members at an Annual General Meeting, for admission of Fellows to the Institute.

**22.** (1) Where the Council considers that a person not being member of the Institute, has rendered special services to the Institute or the public relations and communication management profession, the Council may invite such a person to become an Honorary Fellow of the Institute.

Honorary  
Fellow.

(2) The Council shall develop a framework, approved by members at an Annual General Meeting, for admission of Honorary Fellows.

(3) An Honorary Fellow shall enjoy such rights and privileges as may be determined by Council.

**23.** The members of the Institute shall have the following rights—

Member rights.

- (a) a paid-up member with a practicing certificate shall have all rights of a member;
- (b) a non-practicing member shall have all the rights except that such member shall have no right to practice, vote or vie for office in any election or matter; and
- (c) an honorary member has all rights of a member but shall have no right to practice, vote or vie for office in any election or matter.

**24.** The members of the Institute shall pay such annual subscription fees as the Council may from time to time, determine.

Fees.

**25.** (1) For the purposes of this section, a person is deemed to be a public relations and communication management practitioner, if the person—

Professional practice.

- (a) engages in the practice of Public Relations and Communication Management either as an employee or consultant or holds himself out to the public as a person entitled to do so; and
- (b) offers to perform or perform services involving expertise of public relations and communication management.

**26.** (1) A person who intends to practice as a Public Relations and Communication Management practitioner shall apply to the Council for a practicing certificate.

Practicing certificate.

(2) An application made under subsection (1) shall be in a manner specified by the Council and shall be accompanied by the requisite fees.

(3) The Council shall issue a practicing certificate or renew an existing certificate, if it is satisfied that the person—

- (a) is registered as a Full member;
- (b) has attained the requisite Continuous Professional Development points for the period specified by the Council; and
- (c) satisfies such other requirements as the Council may determine.

(4) A practicing certificate shall be valid for a period of one year from the date of issuance unless its holder—

- (a) is removed from the register; or
- (b) has been suspended under this Act.

(5) A person who engages in the practice without a valid practicing certificate commits an offence and shall be liable, on conviction, to imprisonment for a term not exceeding eight months or a fine not exceeding five hundred thousand Kenya shillings or to both.

**27.** (1) A person may register a Public Relations and Communication Management firm, if the firm—

Registration of firms.

- (a) has a certificate of registration of a business name or certificate of incorporation;
- (b) has at least one partner or principal shareholder who is registered as a Practitioner; and
- (c) fulfills any other condition as may be specified by the Council.

(2) A firm which has the qualifications set out in subsection (1) may apply to the Council for registration.

(3) An application under subsection (2) shall be made in the manner specified by the Council and accompanied by the requisite fees.

(4) Upon being satisfied that the applicant meets the criteria set out in subsection (1), the Council may issue a certificate of registration to the firm.

(5) A certificate of registration shall be valid for a period of one year from the date of issuance.

## **PART V — DISCIPLINARY PROVISIONS**

**28.** A member of the Institute shall adhere to and subscribe to the Code of Ethics set out in the First Schedule.

Code of Ethics.

**29.** A member of the Institute commits a professional misconduct, if the member—

Professional misconduct.

- (a) allows any person to practice in their name as a practitioner;

- (b) practices without a practicing certificate;
- (c) engages in conduct that is dishonest, fraudulent or deceitful; or
- (d) breaches the code of ethics.

**30.**(1) The Council shall constitute a Disciplinary Committee which shall consist of seven members not being members of the Council.

Disciplinary Committee.

(2) The Chairperson of the Disciplinary Committee shall be a Fellow.

(3) The functions of the Disciplinary Committee shall be to hear and determine any complaint referred to it by the Council against a practitioner.

(4) The Disciplinary Committee may publicize as it considers appropriate, the facts relating to a practitioner who is found guilty of, and punished for, professional misconduct.

(5) The Disciplinary Committee shall regulate its own procedure.

(6) Where the involvement of a Disciplinary Committee member in a decision of the Committee is likely to result in conflict of interest, the Committee member shall not take part in the proceedings.

**31.**(1) Any person aggrieved by the conduct of a practitioner may lodge a complaint to the Institute.

Complaints.

(2) A complaint lodged under subsection (1) may be made orally or in writing.

(3) The Institute may refer the complaint to the Disciplinary Committee where the Institute has reasonable grounds to believe that a practitioner has contravened the Code of Ethics or any provision of this Act.

**32.**A complaint submitted to the Disciplinary Committee shall be determined in accordance with the procedure set out in the Third Schedule.

Proceedings of the Disciplinary Committee.

**33.**(1)The Disciplinary Committee may, on the completion of an inquiry into the alleged professional misconduct of a practitioner, make one or more of the following decisions—

Recommendations of the Disciplinary Committee.

- (a) order the cancellation of the Practicing Certificate or the Certificate of Registration;
- (b) order the suspension of the Practicing Certificate or the Certificate of Registration for a specified period and on such conditions as the Disciplinary Committee shall determine;
- (c) reprimand the practitioner;
- (d) impose an administrative penalty, not exceeding two million shillings;
- (e) order that the practitioner be re-trained;
- (f) direct the practitioner whose conduct is the subject of the complaint to compensate the complainant an amount not exceeding one million Kenya shillings; or
- (g) dismiss the complaint.

(3) The Institute shall communicate the decision of the Disciplinary Committee to the parties within seven days from the date the decision is made.

(4) The decision of the Disciplinary Committee shall be binding on the parties.

**34.**(1) A party aggrieved by a decision of the Disciplinary Committee may appeal to the Council within thirty days from the date of the decision providing the grounds upon which the appeal is made.

Appeal.

(2) The Council shall upon receipt of an appeal, consider the appeal and may —

- (a) uphold the decision of the Disciplinary Committee;
- (b) vary the decision of the Disciplinary Committee; or
- (c) make any other decision as may be appropriate.

(3) The Council shall make the decision on the Appeal within sixty days from the date of receipt of the appeal.

(4) A person aggrieved by the decision of the Council may appeal to a court of competent jurisdiction.



## **PART VI—FINANCIAL PROVISIONS**

**35.** The funds of the Institute shall consist of—

Funds of the  
Institute.

- (a) such monies or fees as may be payable to the Institute under this Act;
- (b) such monies or assets as may accrue to the Institute in the exercise of its powers or the performance of its functions; and
- (c) grants or donations to the Institute.

**36.** The financial year of the Institute shall be the period of twelve months ending on the 31st day of December in each year.

Financial year.

**37.** (1) At least three months before the commencement of each financial year, the Council shall cause to be prepared estimates of the revenue and expenditure of the Institute for that financial year.

Annual  
estimates of  
revenue and  
expenditure.

(2) No expenditure shall be incurred except in accordance with the annual estimates approved by the Council.

**38.** (1) The Council shall cause to be kept proper books and other records of accounts of the income, expenditure, assets and liabilities of the Institute.

Accounts and  
Audit.

(2) The accounts of the Institute shall be audited by auditors appointed by the Institute and approved at an Annual General Meeting.

(3) The auditors shall submit an audit report annually to the Council.

(4) Within six months after the end of the financial year, the Council shall lay audited accounts before the Annual General Meeting of the members together with the report of the auditor.

## **PART VII—MISCELLANEOUS PROVISIONS**

**39.** (1) A person who practices while either suspended or expelled commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings.

Offences.

(2) A person who, not being eligible to be registered under this Act, uses any title appropriate to a person so

registered, or holds himself out directly or indirectly as being so registered, commits an offence and shall be liable, on conviction to a fine not exceeding two hundred thousand shillings.

(3) A person who willfully makes or causes to be made any false entry in, or falsification of, any register or record kept under this Act commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings.

## **PART VIII—SAVINGS AND TRANSITION PROVISIONS**

**40.** (1) In this Part “former Society” means the Public Relations Society of Kenya established under the Societies Act.

Savings and  
Transition.

(2) In the first election of the Council under this Act

(a) all property, assets, rights, liabilities, obligations, agreements and other arrangements of the former Society shall vest in the Institute;

(b) anything done by the former Society before the commencement of this Act shall be deemed to have been done by the Institute;

(c) all persons who prior to commencement of this Act were in the employment of the former Society, shall be deemed to be the employees of the Institute on such terms as the Council may determine;

(d) all actions, suits or legal proceedings pending by or against the former Authority shall be carried on or prosecuted by or against the Authority.

(e) any membership certificate issued by the former Society shall remain valid unless otherwise revoked under this Act; and

(f) a member of the former Society shall assume a corresponding membership status in the Institute under this Act.

(2) The Council of the former Society existing before the enactment of this Act shall assume the responsibilities

of the Council of the Institute until the first election is held under this Act;

(3) For the purpose of this section, “former Society” means the Public Relations Society of Kenya registered pursuant to the Societies Act.

Cap. 108.

**FIRST SCHEDULE**

(s.28)

**CODE OF ETHICS**

1. A member shall act with honesty and integrity at all times so as to secure and retain the confidence of those with whom the member interacts with and to protect the reputation of the public relations and communication management profession in general.

Integrity.

2. (1)A member shall provide objective counsel to persons they represent and honor confidential information provided to them.

Confidentiality.

(2) A member shall safeguard the confidentiality of either present or former clients or employers.

(3) A member shall not disclose, except by order of a court, any confidential information which they may have obtained in their official capacity without securing and making known the consent of the said client or employer.

3. A member shall take all reasonable steps to ensure the accuracy of all information provided in advancing the interests of clients or employers.

Accuracy.

4. A member shall avoid any professional conflicts of interest and shall disclose such conflicts to affected parties when they occur.

Conflict of Interest.

5. (1) A member has a duty to maintain accuracy and shall not intentionally disseminate false or misleading information.

Falsehood.

(2) A member shall exercise proper care to avoid doing so unintentionally and correct any such act promptly when it occurs.

(3) A member shall not engage in any practice which tends to corrupt the integrity of channels of public communication or use any manipulative methods or techniques designed to create subconscious motivations which the individual cannot control on his own free will and so cannot be held accountable for the action taken on them.

6. (1) A member shall not obtain information by deceptive or dishonest means or use confidential information for personal benefit.

Dishonesty.

(2) A member shall seek to secure another member’s client by deceptive means.

7. (1)A member shall not propose or undertake any action which may constitute an improper influence on the members of the public. Influence.

(2) A member shall not offer their services as a free inducement to a client to secure other paid services.

8. (1)A member shall adopt the highest standards of ethical and professional behavior and may acquire and responsibly use specialized knowledge and experience. Professionalism.

(2) A member shall not intentionally injure the professional reputation or practice of another member.

9. It shall be the duty of every member, who has evidence that another member has committed a professional misconduct, to inform the Institute. Duty to report.

10.A member shall not engage in any form of sexual harassment. Sexual Harassment.

11.A member shall not engage in any form of bullying including cyberbullying. Cyberbullying.

## **SECOND SCHEDULE**

(s.13)

### **CONDUCT OF MEETINGS OF THE INSTITUTE**

1. (1) The meetings of the Institute shall include general meetings, annual general meetings and special general meetings. General meetings.

(2) The annual general meeting shall be held annually.

(3) The Chief Executive Officer shall circulate a Notice of the annual general meetings, accompanied by the annual statement of account and the agenda for the meeting at least twenty-one days before the meeting.

(4) The Council may call a special general meeting for a specified purpose.

(5) A Notice for a special meeting shall be circulated to members at least fourteen days before the meeting.

(6) At least ten percent of the full members may requisition for a special general meeting for a specified purpose by writing to the Chief Executive Officer.

(7) Upon receipt of the request, the Chief Executive Officer shall circulate the notice to members at least fourteen days before the meeting.

(8) a special meeting which shall be held within twenty-one days from the date of the requisition.

(9) The quorum at a general meeting shall be not less than ten per cent of the members.

2.(1) Members of the Council including the Vice President shall be elected at an annual general meeting of the Institute. Elections and procedure of the Council.

(2) The Council shall formulate administrative procedure for electing the Council members specified under paragraph (1).

3. (1) The President shall preside at all the meetings of the Council. Procedures during meetings.

(2) Despite paragraph (1), where the President is absent, the Vice-President shall preside over the meeting or in his or her absence a Council member nominated by the members present shall preside over the meeting.

(3) The decisions of the Council shall be by a majority of votes and the Chairperson of the meeting shall have a casting vote.

(4) A resolution of the meeting shall form part of minutes.

**4.** The Council shall cause proper minutes of all meetings of the Council and of the general meeting to be taken and recorded. Minutes.

### **THIRD SCHEDULE**

(s.32)

#### **PROCEDURE OF THE DISCIPLINARY COMMITTEE**

1. (1) The Disciplinary Committee shall prepare a statement setting out the allegations of professional misconduct to be investigated.

Statement of  
allegations.

(2) The Chairperson of the Disciplinary Committee shall transmit to each member of the Disciplinary Committee and to the person whose conduct is the subject of the investigation, a copy of the statement prepared pursuant to sub-paragraph (1).

2. (1) The Chairperson of the Disciplinary Committee shall give notice of

Notice of Inquiry.

the date, time and place fixed for the inquiry to the person whose conduct is the subject of investigation.

(2) A notice specified under sub-paragraph (1) shall be delivered to the person whose conduct is the subject of investigation at least fourteen days before the date fixed for the inquiry.

(3) A person whose conduct is the subject of investigation may appear at the inquiry either personally or through other authorized representative.

(4) Where the person whose conduct is the subject of investigation fails to appear at the time and place fixed in the notice, the inquiry may proceed or be adjourned.

3. (1) For the purpose of conducting an inquiry, the Disciplinary Committee has power to—

Powers of the  
Disciplinary  
Committee.

(a)administer oaths;

(b)summon persons to attend and give evidence;

(c)order the production of relevant documents; and

(d)recover in whole or in part the cost of the inquiry from any or all the parties involved in the proceedings as the Committee deems fit.

(2) An oath may be administered by any member of the Disciplinary Committee.



(3) Notices, order and summonses of the Disciplinary Committee shall be issued by Chairperson of the Disciplinary Committee.

**4.** (1) The Disciplinary Committee shall not be bound by the rules of evidence.

Procedure for Inquiry.

(2) The Disciplinary Committee shall regulate its own procedure.

(3) The Chairperson of the Disciplinary Committee shall keep or cause to be kept, a record of the proceedings on the inquiry.

(4) The Chief Executive Officer or their nominee may attend meetings of the Disciplinary Committee and may, with the consent of the President, take part in the deliberations on any matter arising at the meeting, but he shall not be entitled to vote on any such matter.

**5.** (1) The decision of the Disciplinary Committee shall be by the majority of the members present and voting.

Voting.

(2) For the purpose of making the decision, every member of the Disciplinary Committee has one vote, and, in the event of an equality of votes, the Chairperson of the Disciplinary Committee has a casting vote.

## MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to provide a legal framework for the promotion, development and regulation of the public relations and communication management profession. The Bill seeks to promote professionalism within the public relations and communication management sector and to provide mechanism for training, registration and licensing.

**PART I (Clauses 1-3)** of the Bill provides for preliminary matters including the short title and the definition of key terms.

**PART II (Clauses 4-18)** of the Bill contains the administrative provisions. Under this Part, the Bill establishes the Institute of Public Relations and Communication Management which shall be governed by a Council. This part outlines the functions, powers and membership of the Council. It also provides for the manner of appointing the Chief Executive Officer of the Council as well as the staff of the Institute.

**PART III (Clauses 19-27)** seeks to provide for the registration of public relations and communication management professionals. It specifies the eligibility criteria for registration, the application process, membership categories, and the rights of members. This Part also provides for the manner of registering of the public relations and communication management firms.

**PART IV (Clauses 28-34)** provides for disciplinary measures for professional misconduct. This Part establishes a Disciplinary Committee, specifies the Committee's operational procedures and the manner of making an appeal.

**PART V (Clauses 35-38)** provides for the financial provisions which include sources of funds of the Institute, financial year and as accounts and audits.

**PART VI (Clause 39)** provides for offences and penalties.

**PART VII (Clause 40)** provides for savings and transitions for various matters relating to the Public Relations Society of Kenya established under the Societies Act.

*The First Schedule to the Bill provides for the Code of Ethics.*

*The Second Schedule to the Bill provides for the meetings of the institute.*

*The Third Schedule to the Bill provides for the procedure of the Disciplinary Committee.*

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

This Bill does not delegate legislative power or limit fundamental rights or freedoms.

**Statement as to whether the Bill concerns county governments**

The Bill does not affect the functions of the county governments as set out in the Fourth Schedule to the Constitution.

**Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 29th February, 2024.

KIMANI ICHUNG'WAH,  
*Leader of Majority Party.*