

## THE CERTIFIED PUBLIC SECRETARIES (APPLICATION FOR PRACTISING CERTIFICATES) (FORMS AND FEES) REGULATIONS

[Legal Notice 204 of 1990, Legal Notice 116 of 2009, Legal Notice 38 of 2010, Legal Notice 2 of 2011, Legal Notice 174 of 2015]

1. These Regulations may be cited as the Certified Public Secretaries (Application for Practising Certificates) (Forms and Fees) Regulations.
2. A person applying for a practising certificate shall forward the application to the Board in Forms RCPSB 2 and RCPSB 3 set out in the Schedule.

[L.N. 38/2010, r. 2.]

3. (1) The prescribed fee under section 16(2) of the Act shall be—
  - (a) twelve thousand five hundred shillings for practising certificate; and
  - (b) ten thousand shillings for renewal of authority for practice.
 (2) The fee prescribed under subregulation (1) shall not be refundable whether the application is granted or not.

[L.N. 116/2009, r. 2, L.N. 174/2015.]

### SCHEDULE

#### CONFIDENTIAL

[L.N. 204/1990, L.N. 38/2010, L.N. 2/2011.]

RCPSB 2

(r. 2)

CERTIFIED PUBLIC SECRETARIES OF KENYA ACT

[Cap. 534.]

REGISTRATION OF CERTIFIED PUBLIC SECRETARIES BOARD, KENYA

APPLICATION FOR GRANT OF A PRACTISING CERTIFICATE

The Registrar

Registration of Certified Public Secretaries Board

P.O. Box 58218–00200 NAIROBI.

#### SECTION A

1. Surname (Mr /Mrs /Miss /Ms/Dr/Prof) .....

(BLOCK LETTERS)

2. Other Names .....

(BLOCK LETTERS)

3. Postal Address .....

Email Address .....

4. RCPSB Registration Number (*see note 2*) .....Date of Registration .....

5. I enclose a banker's cheque/personal/company cheque for KSh. .... in payment of the prescribed practising application fee which I understand is not refundable (*see note 3*).

6. Work experience (*see note 4*).

I ..... certify that, I have experience in the following areas (Please tick appropriate boxes)

#### 6.1 COMPANY SECRETARIAL PRACTICE

# Compliance Issues

[Subsidiary]

- # Meetings
- # Annual Returns and other Statutory Returns
- # Shares transfer issues
- # Corporate communication
- # Custody of documents, including electronic custody
- # Incorporation of Companies
- # Increase of authorized capital
- # Declaration of Trust and Trust Deeds
- # Conversion of private companies to public companies and *vice versa*

**6.2 INSTITUTIONAL AND CORPORATE MANAGEMENT**

- # Administration and Corporate Management
- # Human Resources Management and Development
- # Financial Management
- # Pension and Trust Administration
- # Insurance
- # Information Technology Management
- # Project Management
- # Contract Management and Execution
- # Receivership

**6.3 PUBLIC SERVICE (CENTRAL AND LOCAL GOVERNMENT)**

- # Administration in its widest sense
- # Human Resources Management and Development
- # Financial Management

**6.4 OTHER RELEVANT EXPERIENCE (PLEASE LIST)**

.....

.....

.....

.....

Please attach a letter from the employer(s).

**6.5 CPD CREDIT HOURS (where applicable)**

I have attended various programmes organized by the Institute of Certified Public Secretaries of Kenya (ICPSK) as shown here below and acquired the requisite CPD Credit Hours:

<b>Training Programme</b>	<b>Date of event</b>	<b>CPD hours attained</b>
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7. Practical experience in Independent Secretarial Work with Practicing Firms (*see note 5a*)(Use additional sheet of paper if necessary)

<b>Name of Firm</b>	<b>Position Held</b>	<b>From</b>	<b>To</b>	<b>Main Clients Handled</b>
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8. Names and contacts of partners under whom you served in No. 7 above. (*see note 6*)

<b>Name of Partner</b>	<b>Firm Name &amp; Contacts</b>	<b>From</b>	<b>To</b>
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9. State the names and addresses of two (2) referees who are able to vouch for your professional ability and general character. Both referees must be registered Certified Public Secretaries (in good standing) and with at least 2 years practising experience (*see note 7*). One being among those listed under No. 8 above. Persons named here must not be related to the applicant by birth.

<i>Name</i>	<i>Reg. No.</i>	<i>Contact Address</i>
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**SECTION B**

10. I, ..... hereby apply for the grant of a Practising Certificate under the provisions of section 16 of the Certified Public Secretaries of Kenya Act (No. 12 of 1988). The details of my intended practice are as provided below:

10.1 Name and Style of practice

10.2 Main Address at which practice will be located:

Physical location .....

Town /District .....

Address .....

Telephone No: .....

Telefax No: .....

Email Address .....

Contact Partner .....

10.3 Branch offices:

**Physical location**

**Town/District**

.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

11. Names and contacts of existing partners (where applicable), their Registration and Practising Certificate numbers.

<b>Name</b>	<b>Registration No.</b>	<b>Practising Cert No.</b>	<b>Residential Status</b>
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12. State whether the Practice will be Full time # Part time #

13. If part time, give approximate proportion of working time to be spent in practice (in percentage terms)

Less than 20% # 20-50% # Over 50% #

14. Will the firm provide other related professional services apart from Company Secretarial services? Yes # No #

15. If the answer to No. 14 above is yes, list the other services planned to be offered.

.....

.....

.....

16. Date planned for Practice to commence .....

[Subsidiary]

**17. Declaration**

- (a) I hereby solemnly declare that the foregoing information is true to the best of my knowledge. I acknowledge that any statement contained anywhere in this application which is known to me to be false shall invalidate this application and any decision reached thereon by the Board. I have read the Certified Public Secretaries of Kenya Act, and I am aware of the penalties stipulated in connection with the provision of misleading information.
- (b) I further commit to fulfill any requirements set by the Institute of Certified Public Secretaries of Kenya (ICPSK) relating to Professional Standards, Continuous Professional Development (CPD), and any other professional pronouncements that are in force or may be introduced in the future.

*Applicant's signature* ..... *Date* .....

**FOR OFFICIAL USE ONLY**

Application No ..... Date Received .....

Date Acknowledged ..... Receipt No ..... Date .....

Approved/Rejected Min No. .... Deferred Min. No. ....

Notification sent ..... Gazette Notice No. ....

Certificate Dispatched ..... Certificate Acknowledged .....

Chairperson ..... Member ..... Registrar .....

Date ..... Date .....

**GUIDANCE NOTES FOR APPLICATIONS FOR PRACTISING CERTIFICATE**

**1.** A member wishing to apply for a practising certificate shall apply to the Registration Board in the prescribed form (RCPSB 2).

**2.** The applicant should provide:

- (a) Copies of the registration certificate from RCPSB and membership certificate from ICPSK. The copies should be certified as being true copies of the original by an Advocate of the High Court of Kenya who must also be a Commissioner for Oaths to whom the applicant is known. Alternatively the copies may be certified at the Board's offices on presentation of the original certificates by the applicant or his/her representative.
- (b) Two (2) recent coloured passport size photographs.

**3.** Application fees are payable by cheque drawn in favour of the Registration of Certified Public Secretaries Board at a prescribed fee of KSh. 10,000.00 for Kenyans and KSh. 20,000.00 for Non-Kenyans. (NB. Non-Kenyans should enclose a copy of a valid work permit also certified as in paragraph (2)(a)) above.

- (a) The experience gained should be in at least one of the following areas of work:

**(i) Company Secretarial Practice**

- o Compliance Issues
- o Meetings
- o Annual Returns and other Statutory Returns
- o Shares transfer issues
- o Corporate communication
- o Custody of documents, including electronic custody
- o Incorporation of Companies
- o Increase of authorized capital

- o Declaration of Trust and Trust Deeds
- o Board Management
- o Restructuring and Mergers
- o Conversion of private companies to public companies and *vice versa*

**(ii) Institutional and Corporate Management**

- o Administration and Corporate Management
- o Human Resources Management and Development
- o Financial Management
- o Pension and Trust Administration
- o Insurance
- o Information Technology Management
- o Project Management
- o Contract Management and Execution
- o Receivership

**(iii) Public Service (Central and Local Government)**

- o Administration in its widest sense.
- o Human Resources Management and Development
- o Financial Management

- (b) The applicant must provide a letter from the employer detailing the length of service, position, nature of work and recommendation.
- (a) A member wishing to apply for practising certificate should have at least two (2) years post-registration practical experience. The experience must have been gained under the supervision of a Certified Public Secretary (in good standing), who has at least two (2) years practising experience. Where the 2 years experience has been acquired under different Certified Public Secretaries, the applicant is required to obtain certification from all of them.
- (b) A member wishing to apply for a practising certificate must have been a member of the Institute of Certified Public Secretaries of Kenya (ICPSK) in good standing for at least two (2) years preceding the application.

**6.** The applicant must provide a letter from a practising firm of Certified Public Secretaries in confirmation of the applicant's experience in independent Company Secretarial work, specifying the following:

- (a) That the applicant has obtained the equivalent of at least two (2) years in secretarial practice, either in full-time or part-time capacity.
- (b) Details of clients handled by applicant and levels of responsibility on the assignments.
- (c) Level of the applicant's responsibilities in secretarial practice generally and the duration such responsibilities have been handled (e.g. manager, supervisor/senior, clerk/assistant and the period such position held).
- (d) Names and contacts of the partners to whom the member was responsible for his work.
- (e) Other work experience gained by the applicant since registration as a Certified Public Secretary.

**7.** The applicant must provide statements from two (2) referees detailing their knowledge of the applicant particularly as relates to attributes. Both referees must be registered Certified

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Public Secretaries, one being a practising Certified Public Secretary with whom the applicant has worked under and who must confirm details of the applicant. The other referee should be a person under whom the applicant has not served under paragraph (8) above.

CONFIDENTIAL

RCPSB 3

# REGISTRATION OF CERTIFIED PUBLIC SECRETARIES BOARD OF KENYA REFEREE FORM

The Registrar

Registration of Certified Public Secretaries Board

P. O. Box 58218-00200

NAIROBI.

Tel. 2252299 Ext. 33087

Date .....

TO: .....

Dear Sir /Madam,

## CERTIFIED PUBLIC SECRETARIES ACT

[Cap. 534]

## APPLICATION FOR A PRACTISING CERTIFICATE

The Board is in receipt of an application from Mr/Mrs/Miss/Ms/Dr/Prof ..... for grant of a practising certificate under section 17 of the Certified Public Secretaries Act.

The applicant has given your name as a referee, and the Board would appreciate your prompt response to the questions contained overleaf.

In order to clarify what constitutes practising as a Certified Public Secretary of Kenya, an extract from the Certified Public Secretaries Act is hereby appended.

Your comments will be treated in confidence.

Yours faithfully,

.....

*Registrar*

1. Name of Applicant: Mr/Mrs/Ms/Dr/Prof .....
2. For how many years have you known the applicant? .....
3. Are you related to the applicant? .....
4. Do you support the application? .....

Yes \_\_\_\_

No \_\_\_\_

5. If your answer in No. 4 is yes, briefly state your knowledge of his/her professional ability, responsibilities and experience relevant to the Certified Public Secretaries Profession by filling in the below details.

(a) The applicant has gained in the following areas of work:

### (iv) Company Secretarial Practice

o Compliance Issues

o Meetings

o Annual Returns and other Statutory Returns

- o Shares transfer issues
- o Corporate communication
- o Custody of documents, including electronic custody
- o Incorporation of Companies
- o Increase of authorized capital
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**(v) Institutional and Corporate Management**

- o Administration and Corporate Management
- o Human Resources Management and Development
- o Financial Management
- o Pension and Trust Administration
- o Insurance
- o Information Technology Management
- o Project Management
- o Contract management and Execution
- o Receivership

**(vi) Public Service (Central and Local Government)**

- o Administration in its widest sense.
- o Human Resources Management and Development
- o Financial Management

(a) OTHERS (PLEASE LIST).....

(b) Please give comments on the following attributes of the applicant

*Supervisor's Comments*

Accountability

efficiency and effectiveness

Integrity

Responsibility

Transparency

I (Supervisor) ..... Certify that (Applicant) ..... acquired experience in the areas shown above, under my supervision from (Date) ..... to (Date) .....

Recommended/Not Recommended (Please tick one)

Remarks.....

.....

(If not recommended please give reasons).....

*Personal Details of the Supervisor*

Name .....

[Subsidiary]

Membership No.....

Signature.....

Date.....

7. Referee's Name in full .....

Academic/Professional qualification.....

Name of Employer (Where applicable).....

Position Held.....

Official Stamp.....

Signature..... Date .....

(EXTRACT FROM THE CERTIFIED PUBLIC SECRETARIES ACT

[Cap. 534]/(akn/ke/act/1988/12).]

Practising As A Certified Public Secretary.

**15.** (1) Subject to this section, a person practices as a Certified Public Secretary for the purpose of this Act if, in consideration of remuneration or other benefits received or to be received and whether by himself or in partnership with any other person—

- (a) He engages in the public practice of Secretaryship or performs the statutory duties of a Certified Public Secretary or holds himself out to the public as a person entitled to do so;
- (b) He offers to perform or performs services involving the submission of official and statutory returns of companies and trading organizations;
- (c) He offers to perform or performs services involving the certification of statutory returns or records related to statements; or
- (d) He engages in any practice, or performs or offers to perform any services, which may be prescribed.

**CERTIFIED PUBLIC SECRETARIES (APPLICATION FOR REGISTRATION)  
(PERMITTED AGE) REGULATIONS**

[Section 19(5), L.N. 429/1990]

**1.** These Regulations may be cited as the Certified Public Secretaries (Application for Registration) (Permitted Age) Regulations.

**2.** No person shall apply for registration under section 19 of the Act unless he has attained the age of eighteen years.

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