

PUBLIC NOTICE

PUBLIC PARTICIPATION AND STAKEHOLDER ENGAGEMENT ON THE DRAFT NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) REGULATIONS 2023 AND REGULATORY IMPACT STATEMENT (RIS) FOR THE DRAFT REGULATIONS

Pursuant to provisions of Section 42 (1) of the National Construction Authority Act No. 41 of 2011 (hereinafter referred to as "NCA Act"), the Cabinet Secretary for the Ministry of Lands, Public Works, Housing and Urban Development, in consultation with the Board of the National Construction Authority, has developed the Draft National Construction Authority (Amendment) Regulations, 2023 (hereinafter referred to as 'Amendment Regulations').

As per Section 5(2)(d) of the NCA Act, the Authority is mandated to prescribe the qualifications or other attributes required for registration as a contractor. The purpose of the Amendment Regulations is to repeal the Authority's current evaluation criteria for contractors and prescribe a stakeholder driven revised criteria that reflects best practices in the construction industry.

Subject to the provisions of Section 8 of the Statutory Instruments Act, 2013, the Regulatory Impact Statement (RIS) has also been prepared on the likely impacts to stakeholders.

In line with Article 10 of the Constitution of Kenya and Section 5 of the Statutory Instruments Act 2013 on the requirements for public participation and stakeholder engagement, the State Department for Public Works together with the National Construction Authority, hereby invites construction industry stakeholders and members of the general public to the following consultative workshops on the Amendment Regulations and RIS:

| REGION | COUNTY (VENUE) | DATE | VENUE | TIME |
|--|----------------|-------------------|----------------------------|-----------------------|
| Embu, Kirinyaga, Tharaka-Nithi | Embu | 2nd October 2023 | Kenya School of Government | 9:00 a.m. – 4:00 p.m. |
| Uasin Gishu, Nandi, Elgeyo-Marakwet, Baringo | Eldoret | 4th October 2023 | Boma Inn, Hotel | 9:00 a.m. – 4:00 p.m. |
| Isiolo, Marsabit, Samburu, Meru | Isiolo | 4th October 2023 | Northern Galaxy Hotel | 9:00 a.m. – 4:00 p.m. |
| Turkana, West - Pokot Trans-Nzoia | Kitale | 5th October 2023 | West Side Hotel | 9:00 a.m. – 4:00 p.m. |
| Nyeri, Muranga Nyandarua, Laikipia | Nyeri | 6th October 2023 | Dedan Kimathi University | 9:00 a.m. – 4:00 p.m. |
| Nakuru, Kericho, Bomet, Narok | Nakuru | 9th October 2023 | Alps Hotel | 9:00 a.m. – 4:00 p.m. |
| Kitui, Makeni, Machakos | Machakos | 9th October 2023 | Machakos University | 9:00 a.m. – 4:00 p.m. |
| Mandera, Wajir Garissa, Tana-River | Garissa | 12th October 2023 | Nomad Palace Hotel | 9:00 a.m. – 4:00 p.m. |
| Mombasa, Kwale Kilifi, Lamu, Taita-Taveta | Mombasa | 16th October 2023 | Mombasa Beach Hotel | 9:00 a.m. – 4:00 p.m. |
| Kakamega, Busia Vihiga, Bungoma | Kakamega | 23rd October 2023 | The Golf Hotel Kakamega | 9:00 a.m. – 4:00 p.m. |
| Kisumu, Siaya, Homabay | Kisumu | 25th October 2023 | Tom Mboya Labour College | 9:00 a.m. – 4:00 p.m. |
| Kisii, Migori, Nyamira | Kisii | 27th October 2023 | Kisii University | 9:00 a.m. – 4:00 p.m. |
| Nairobi, Kiambu, Kajado | Nairobi | 2nd November 2023 | Kasarani Sports View Hotel | 9:00 a.m. – 4:00 p.m. |

Stakeholders and members of the public are invited to submit written comments on the Amendment Regulations and Regulatory Impact Statement which are available on the Authority's website and also upon request at the Authority's Offices on 9th floor of KCB Towers, Kenya Road, Upper Hill, Nairobi during working hours.

You may forward written submissions by close of business on Friday, 3rd November 2023 to the addresses highlighted below. Further, email submissions may be forwarded to: criteria@nca.go.ke.

The Principal Secretary
State Department for Public Works
Ministry of Lands, Public Works, Housing and Urban Development
12th floor, Works Building
NAIROBI

and

The Executive Director
National Construction Authority
KCB Towers, 11 th Floor
Kenya Road, Upper Hill
NAIROBI

**PRINCIPAL SECRETARY
STATE DEPARTMENT FOR PUBLIC WORKS**