KEFRI/F/MR/05



**evaluation of compliance TO LEGAL and other STATUTORY requirements**

| **S.No** | **Regulation** | **Regulatory Agency** | **Specific Provision** | **Requirement** | **Status** |
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| 1 | Occupational Safety and Health Act, 2007 | DOSHS | 7(1) | (a) KEFRI shall prepare a written statement of Safety and Health Policy (b)  KEFRI shall communicate the statement to all employees |  |
| 9(1) | KEFRI shall establish a safety and health committee |  |
| 11(1) | KEFRI shall undertake a safety and health audit at least once a year by a safety and health advisor |  |
| 44(1) | KEFRI shall register its premises with DOSHS as a work place  |  |
| 2 | NSSF Act Cap 258 | NSSF | 10(2) | KEFRI shall remit deductions by 15of the following month  |  |
| NHIF Act Cap 255 | NHIF | 16(3a) | KEFRI shall remit deductions within one month of such deduction |  |
| HELB Act Cap 213(a)  | HELB | 16(2) | KEFRI shall remit HELB deductions within 15 days after the end of each month |  |
|  | The Income Tax Act Cap 470 | Income Tax | 130-10(1) | KEFRI shall remit PAYE deductions before the tenth day of the following month |  |
| 3 | Clinical Officers (Training, Registration and Licensing) Act Cap 260 | Clinical Officers Council | 7(3)11(3) | The clinical officer shall have a certificate of registrationThe clinical officer shall have a valid practicing licence  |  |
| 4 | Nurses Act Cap 257 | Nursing Council of Kenya | 23 | The Nursing officer shall have a certificate under the seal of the council |  |
| 5 | The Nurses licensing regulations  | Nursing council of Kenya | 6(1) | The nursing officers shall have a valid practicing licence |  |
| 7 | Foods, Drugs and Chemical Substances Act 2012 | Public Health | 15 (1b) | KEFRI shall ensure that all persons handling food undertakes medical examination by Government medical institution at regular intervals of not more than 12 months and a health certificate kept at the facility.  |  |
| 8 | Foods, Drugs and Chemical Substances Act 2012 | Public Health  | 4 | KEFRI shall register its facilities that offer catering services.  |  |
| 9 | The Medical Laboratory Technicians and Technologists Board Act 1999 | KMLTTB | 15(5) | All medical lab technologists shall have a certificate of registration from KMLTTB.  |  |
|  | Public Procurement and Asset Disposal Act 2015 | PPADA | Part 5(44)1 & 2 | The Director shall establish procedures on functions of procurement consistent with Act |  |
| Part V (44) 2b | The Director shall constitute all procurement and asset disposal committees in accordance with the Act |  |
| Part V(47) 1 | KEFRIs Procurement functions shall be handled by procurement professionals whose qualifications are recognized in Kenya |  |
| Part IX (92) | KEFRI shall use open tendering or alternative procurement procedures (Low value procurement, restricted tender request for quotations/proposals, two stage tendering, direct procurement, specially permitted procurement)  |  |
| Part V(68)1 | The Director shall keep records for each procurement for at least six years after the resulting contract was entered into or, if no contract resulted, after the procurement proceedings were terminated |  |
| Part XIV(163)1 | The Director shall establish a disposal committee as and when prescribed for the purpose ofdisposal of unserviceable, obsolete, obsolescent, surplus stores ,equipment or assets |  |
| Part XII (155)1 | Articles 227(2) of the constitution and despite any other provision of this Act or any other registration, KEFRI shall comply with the provisions of this part |  |
| Part VII(71)1 | The DDSCM shall maintain and continuously maintain and continuously update the list of registered suppliers, contractors, and consultants in various categories. |  |
| Part VII(74) 1&2 | The Director shall ensure the preparation of an invitation to tender as per Section (74)1(a-j) & 2 |  |
| 10 | Public Archives and Documentation Service Act 2012 | Kenya National Archives and Documentation Service | 5A(1) | The Director KEFRI shall submit two copies of any published or generally circulated document or report produced by KEFRI to KNADS |  |
| 11 | Employment Act, 2007 | National LabourBoard | 5(2) | KEFRI shall promote equal opportunity in employment |  |
|  |  |  | 6(2),(4) | KEFRI shall issue and communicate a policy on sexual harassment |  |
| 9(2) | KEFRI shall be responsible for drawing a contract of service/letter of appointment to all employees |  |
| 17(1) | KEFRI shall pay the entire amount of the wages/salary earned or payable to an employee in respect of work done |  |
| 20(1) | KEFRI shall give, a written statement (payslip) to an employee at or before the time at which any payment of wages or salary is made to the employee. |  |
| 24(1)78 | KEFRI shall notify the labour office of any death or/and termination of employee within two weeks |  |
| 34(1) | KEFRI shall ensure provision of medical services to all employees |  |
| 51(1) | KEFRI shall issue to an employee acertificate of service upon termination of his employment |  |
| 74(1) | KEFRI shall keep a record of all its employees |  |
| 12 | The Public Officer Ethics Act, 2003 | Public Service Commission | Part IV(26) | KEFRI employees shall declare their income, assets and liabilities every two years |  |
| 13 | Work injury Benefits Act 2007 | DOSHS | 7(1) | KEFRI shall obtain and maintain an insurance policy for its employees  |  |
| 10(2) | KEFRI shall pay compensation in accordance with the provisions of this Act to an employee injured while at work.  |  |
| 14 | Public Finance Management Act, 2012 | Public Sector Accounting Standards Board | 73(1a) | KEFRI shall put appropriate arrangements in place for conducting internal audits according to the guidelines of the Accounting Standards Board |  |
| 81(1) | KEFRI shall prepare financial statements at the end of every financial year.  |  |
| 82 | KEFRI shall prepare an account in respect of the revenue received and collected by the receiver during that financial year.  |  |
| 83(a) | KEFRI shall submit the accounts to the Auditor-General and a copy to the National Treasury annually |  |
| 15 | Records Management Procedures Manual for Public Service 2010 | Ministry of State for Public Service | All chapters | All KEFRI registries shall adhere to all requirements in the records management manual of 2010 |  |
| 16 | Science Technology and Innovation Act,2013 | NACOSTI | (21) | KEFRI shall be established or operated as a research institute by obtaining a Certificate of Registration. |  |
| (22) | KEFRI shall maintain the standards and ensure compliance with the code of conduct or other regulations prescribed by the Commission |  |
| 25(1) | KEFRI shall retain all rights in any discoveries, inventions and improvements in respect of processes, apparatus and machines made on behalf of the institute and may avail them for use in the public interest. |  |
| 25(2) | Any publication arising from research work carried out by a researcher for or on behalf of KEFRI shall be subject to approval by the institute.  |  |
|  (26) | KEFRI shall store and disseminate research findings and information as may be prescribed by the Commission from time to time |  |
| 17 | Physical planning Act, 2009 | County Government  | 30 & 31 | KEFRI shall apply and obtain development permission from the area local Authority before carrying out any infrastructural development  |  |