



PROPOSALS ON THE NOMINATION AND ELECTION CRITERIA OF THE CHAIRMAN AND COUNCIL MEMBERS, COMPOSITION OF THE COUNCIL AND THE ELECTION PROCESS

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ABOUT ICPAK

The Institute of Certified Public Accountants of Kenya (ICPAK) was established in 1978. ICPAK is a member of the Pan-African Federation of Accountants (PAFA) and the International Federation of Accountants (IFAC), the global umbrella body for the accountancy profession.

ICPAK is established under section 3 of the Accountants Act, No. 15 of 2008. Section 8 of the Act prescribes that the functions of ICPAK shall be to:

- a) Promote standards of professional competence and practice amongst members of ICPAK
- b) Promote research into the subject of accountancy and finance and related matters, and the publication of books, periodicals, journals and articles in connection therewith;
- c) Promote the international recognition of ICPAK.
- d) Advise the Examination Board on matters relating to examinations standards and policies;
- e) Advise the Minister on matters relating to financial accountability in all sectors of the economy;
- f) Carry out any other functions prescribed for it under any of the other provisions of this Act or any other written law;
(fa) prescribe the remuneration order for the accountancy profession with the approval of the Cabinet Secretary responsible for finance; and
- g) To do anything incidental or conducive to the performance of any of the preceding functions.

Vision

A world class professional accountancy institute.

Mission

To develop and promote internationally recognised accountancy profession that upholds public interest through effective regulation, research and innovation.

Core Values



INTRODUCTION

The Institute has prepared recommendations on the reform of the law relating to the nomination and election of the Chairman and members of the Council as presently provided for under Section 7 and 11, Paragraph 1 (1) of the First Schedule and Paragraph 2 of the Second Schedule to the Accountants Act, No. 8 of 2015. The report also includes recommendations on how to improve the election process.

In coming up with the ensuing recommendations, and for benchmarking purposes, reference was made to the practices in other institutions, both locally and internationally. These included: The Law Society of Kenya (LSK), Institute of Engineers of Kenya, Institute of Human Resources Management (IHRM), South African Institute of Chartered Accountants (SAICA), CPA Australia, Association of National Accountants of Nigeria (ANAN), The Institute of Chartered Accountants of Nigeria (ICAN), CPA Canada, American Institute of Certified Public Accountants (AICPA), Pan African Federation of Accountants (PAFA) and International Federation of Accountants (IFAC)

These proposals in the report were developed by members of the Adhoc Review Committee of the ICPAK Council as listed below:

FCPA Steve Lugalia	- Chairman
FCPA Paraag Devani	- Member
FCPA Erastus Omolo Kwaka	- Member
FCPA Owen Koimburi	- Member
FCPA Georgina Malombe	- Member
FCPA Ahmed Abdullahi	- Member
CPA Catherine Mturi-Wairi	- Member
CPA Grace Jepkogei	- Member
CPA Francis Langat	- Member
CPA Edwin Makori	- Chief Executive Officer & Secretary to the Council (ex-officio member)

Committee Secretariat

Mr. Hillary Onami	Head, Public Policy and Research
Clare Abuodha, Advocate	Head, Legal Services
Cynthia Walucho, Advocate	Legal Officer
Ms. Catherine Munene	Company Secretary

PROPOSALS

A. THE TITLE OF THE CHAIRMAN AND THE VICE CHAIRMAN OF THE COUNCIL

That the title of the Chairman and Vice Chairman of the Institute be changed to "President" and "Vice President" respectively.

Justification

- a) The titles are gender neutral
- b) Most of the jurisdictions around the world, including neighboring countries, the Chair and Vice Chair of the accountancy Institutes were referred to as President and Vice President. Some local institutions also use the title of President and Vice President, for example, the LSK and the Institute for Engineers of Kenya

B. CRITERIA FOR NOMINATION OF THE PRESIDENT, VICE PRESIDENT AND MEMBERS OF THE COUNCIL

1. Any Council member is (will be) eligible to offer themselves for the position of President and Vice President.
2. In addition to the criteria set out in the Nomination Form, it is proposed that a member seeking election as President, Vice President or Council member shall be a person who meets the following criteria:
 - a. Been a member of the Institute in good standing for a continuous period of not less than seven (7) years;
 - b. Demonstrate leadership and management experience, preferably in a senior leadership role;
 - c. Demonstrate knowledge of the Institute, its mission and its strategic objectives;
 - d. Possess and demonstrate integrity by presenting the required documents as per Chapter Six of the Constitution of Kenya 2010.

C. QUALIFICATION OF REPRESENTATIVES AND APPOINTEES OF THE NATIONAL TREASURY AND OTHER NOMINATING BODIES

1. A member nominated for representation from the National Treasury and other nominating bodies would be a person who has:
 - a. Been a member of a professional body for a continuous period of not less than seven (7) years;
 - b. Served on the council of any professional body or its committees or any other comparable committee or board for at least one (1) year;
 - c. Not been disqualified to sit in any board;
 - d. Demonstrated leadership skills.
2. The nominating bodies should take into consideration issues of diversity within the Council.

3. The Institute to liaise with the National Treasury on the drafting of guidelines on the qualifications and attributes of the persons to be nominated by the Cabinet Secretary to sit in the Council under the various categories.

Justification:

A mix of the requisite skills, experience, expertise, age, gender and diversity of perspectives is required for an effective Council.

D. TENURE OF THE PRESIDENT, VICE PRESIDENT AND MEMBERS OF COUNCIL

1. The term of the President to be a non-renewable term of three years.
2. The term of the Vice President to be aligned with that of the President and he/she be elected by members. It is proposed that the Vice President be elected for two and one-year terms respectively at any given term of the President.
3. The Vice President elected for a one-year term preceding the end of the President's term shall be termed as the First Vice President who shall serve for one year and automatically take over as President when the incumbent finishes his/her term.
4. The term of Council members to remain two terms of three years each (a maximum of six years). However, a Council member may serve up to a maximum of seven years under certain conditions as outlined in Appendix III.

Justification

The Accountants Act provides for a non-renewable term of two years for the Chairman. This period is considered short, and the Chairman may not have enough time to actualize their vision as presented in their manifestos. There is also need for effective succession planning in Council and thus the Vice Chairman (to be renamed Vice President) position also needs to be "ring-fenced". Once a member is elected to the Council as the First Vice President, the member shall then build the requisite capacity to ascend to the Presidency.

E. ELECTION OF THE FIRST PRESIDENT (CHAIRMAN) AND VICE PRESIDENT (VICE CHAIRMAN) OF THE COUNCIL FOLLOWING ADOPTION OF THE RECOMMENDATION

1. Members of the Institute to elect the First President (who shall serve for a non-renewable term of three years) and a Vice-President.
2. The Vice president be elected for two and one year respectively at any given term of the president. The Vice president elected for one year preceding the end of the President's term shall be termed as the First Vice President who shall serve for one year and automatically take over as President when the incumbent finishes his/her term. The two and, one year cycle of Vice President election shall continue in perpetuity, thereafter.
3. There should always remain in office, continuing Council Members with either one (1) year or two (2) years unexpired of their term for the smooth operation and continuity of Council.

Justification:

Since it will be known in advance who would be the President of the Institute, ICPAK will not loose out on leadership positions in regional and international bodies.

F. ESTABLISHMENT AND OPERATION OF THE COLLEGE OF FELLOWS

The Accountants Act, No. 15 of 2008 (Section 4) provides for different classes of membership to the Institute one of which is the Fellowship Category. A Fellow (designated as FCPA) is a Certified Public Accountant (CPA) who, pursuant to an invitation of Council and having followed due process, is admitted as such having rendered exceptional service to the profession and whose achievements in their careers, the community, or in the profession have earned them distinction and brought honor to the profession and nation in addition to the other requirements prescribed by Council.

Achieving Fellowship is a hallmark of professional standing and achievement in accounting and related disciplines of the profession. It publicly demonstrates that the member has extensive experience and has made tested and distinct long-term commitment to professionalism and ethics. Fellows thus embody values that drive vision and strategy with rich hind and foresight.

The College of Fellows is the apex body consisting of members of the Institute that on the basis of earned merit, have been admitted as Fellows of the Institute.

The College of Fellows shall not be seen to be taking away any of the roles of the Council, the Disciplinary Committee or any other established organ of the Institute

Mission

The mission of the College of Fellows of the Institute is to serve as ambassadors for the preservation of the Institute's heritage, professionalism, image, values and culture internally and in the community at large.

The Role of the College of Fellows

The role of the College of Fellows shall be to enhance the Mission of the College and complement the Council of the Institute through:

- a. Preservation and transfer of the Institute's heritage, skills and culture
- b. Providing advisory opinions on matters of interest in the accountancy profession, related disciplines and the economy
- c. Upon invitation by the Council, carry out mentoring activities to members of the Council, accountancy students and professionals, business organizations and educators to increase their awareness of the Institute's activities including role modeling and influencing of exemplary professionalism among members to the highest possible international standards at all times and in every way.
- d. Include in its deliberations and activities, opportunities for experiential learning to all members of the Institute
- e. Transferring Institute -generated technology and knowledge
- f. Communicating the Institute's recommended practices to resolve current industry problems

- g. Supporting the Institute's governance in conducting special technical activities.
- h. Provide support and recommendation to Council on admission of members to be Fellows of the Institute.
- i. Nominate Members to bridge and balance capacity, gender, demographic and skills set gaps to the Council.
- j. On a purely advisory role and capacity, be available as a reservoir of knowledge and expert reference point to and for any committee of the Council needing support in any area of specialization where such knowledge is available among the members of the College of Fellows.
- k. Upon invitation, the College may mediate between the Council and other stakeholders and also between members of the Institute, except on disciplinary matters
- l. Conduct any other role as shall be delegated by Council and adopted by the College.

Meetings of the College of Fellows (CoF)

The College shall conduct its meetings in the following manner:

- a. At its first meeting, the President of the Institute shall convene a meeting of all Fellows of the Institute. At this meeting, seven members (Fellows) shall be elected by the College as the Board of the College. The members shall elect a convener and co-convener amongst themselves. The Chief Executive of the Institute or his appointee shall be the Secretary to the College.
- b. The members of the Board of the College will serve for a term of two years or until the election of their successors.
- c. Sitting Council member(s) who is/are Fellows shall not be eligible to be members of the Board of the College of Fellows
- d. The quorum of the Board meetings shall be 50%+1 i.e. four (4) members.
- e. The meetings of the Board will be held at least three times in a year.
- f. The College of Fellows meetings will be held at least twice annually. Face to face meetings will usually be held. However video and teleconference technology will be utilized where appropriate.
- g. Quorum of meeting of all Fellows shall be 30 members.
- h. Meeting dates will be set at the start of each calendar year. Additional meetings may be called by the Convener of the College of Fellows if required.
- i. Agenda papers will be distributed by email or any other acceptable means at least seven days prior to a proposed College meeting called for transacting any business of the College.
- j. Board meetings may be attended in person or by video conference link or any other acceptable e-meeting means. Members must inform the Convener if they are not available to attend any given meeting.
- k. Minutes of the meeting of the College will be circulated to members for feedback within fourteen days following a meeting, having been approved by the Convener. Minutes of prior meetings will be discussed and confirmed at the next meeting of the College.

- l. The Board of the College shall constitute a nominating Committee to select members for nomination to the Council.
- m. Nominations for all the positions in (l) above shall be made by the Board within two months after the annual general meeting of the Institute and election of Council members. Notice of those nominations shall be published and publicized to the general membership of the Institute. The criteria and procedure for nomination shall be developed by the Board of the College and presented for adoption by the members of the College at a scheduled meeting.

Fellow Emeritus

1. When a Fellow intends to permanently retire from active practice and or employment and in writing so informs the Council and College of Fellows, the member shall continue to be a member of the College for life but shall henceforth be referred to as "Fellow Emeritus".
2. Fellow Emeritus shall be separately listed in a table below the list of Fellows.
3. The title Fellow Emeritus shall
 - a. Be permanent and shall remain irreversible for life
 - b. Not be earned posthumously.

Cessation of Membership

A Fellow shall lose Membership of the College of Fellows, including the Emeritus status, if the member is struck off the register of members of the Institute on disciplinary or any other grounds and simultaneously, the applicable title of the member shall forthwith extinguish itself. Where the member's membership of the Institute, for any reason stands suspended, the same effect of the suspension shall apply to the member's membership of the College of Fellows.

G. COMPOSITION AND ELIGIBILITY CRITERIA FOR MEMBERS OF COUNCIL

The following will constitute a Council of 13 members:

Position	Section of the Act	Number
President elected from members of the Institute	Section 11	1
Vice President elected from members of the Institute	Not in the Act	1
Elected Member to represent Practitioners	Not in the Act	1
Elected Members to represent Branches	Not in the Act	2
Elected Member to represent Public Sector	Not in the Act	1
Elected Member to represent Private Sector	Not in the Act	1
Representation from Ministry responsible for matters relating to Finance	Section 11	1
Representation from CMA	Section 11	1
Representation from the Examinations Board	Section 11	1
Representation from a profession other than Accountancy	Section 11	1
Nomination by the College of Fellows to bridge capacity, gender and skills set in line with a third Gender Rule	Not in the Act	2
Total membership		13

Elected Members to represent Branches

1. A member vying for the position of a Council member must:
 - c. Have been registered as a member in the particular Branch two (2) years before vying.
 - d. Have resided or worked in the specified Branch for at least two (2) years to enable him/her articulate issues for the respective branch.
 - e. be residing in the particular Branch and must have proof of residence and endorsement from at least ten (10) members residing in the Branch.
2. Change of residence would result in the vacancy of the Council seat and a casual vacancy would be filled by another member from that Branch following an electoral process
3. The Branch representatives will be elected nationally and the best two (2) from the list of all contesters shall represent the branch interests in Council. If the best two Candidates in terms of votes cast pro rata are from the same Branch, the next candidate from a different Branch shall be selected.
4. The Branches represented above shall not be eligible to present candidates in subsequent election(s) until such a time as all Branches would have had representation in Council

Elected Member to represent Practitioners

1. The representatives for Practitioners in Council will be elected nationally.
2. A member is deemed to represent the Practitioners if such a member is a holder of a practicing certificate issued by the Institute under section 24 of the Accountants Act

Elected Member to represent Public and Private Sectors

1. The representatives for Public and Private sectors in Council will be elected nationally.
2. A member is deemed to represent the Public sector if such a member is an employee of National or County Government Ministries, Departments or Agencies, State Corporations, Constitutional Commissions or independent offices.
3. A member is deemed to represent the Private sector if such a member is not a Public sector employee

Justification

- a. The number of Council members should not be too large as to be unmanageable during Council deliberations or to pose a challenge in decision making.
- b. Key sectors of the economy should have representatives in Council who will articulate the issues facing the sectors.
- c. The composition will encourage regional inclusivity in the Council so as to reflect the face of Kenya.
- d. With the introduction of Multiple Licensing, there was need to consider the representation of Practitioners in the Council.

H. CASUAL VACANCIES IN THE COUNCIL

President

The First Vice President to assume office of the President for the remainder of the term of the exiting President.

Vice President and Council members

Where the Vice President or a member of Council ceases to hold office:

- (a) another member shall be elected to fill the vacancy at the annual general meeting of the Institute next following, or
- (b) shall be appointed as provided under section 11(b), (c), (d) (e) of the Act or nominated by the College of Fellows, as the case may be.

The College of Fellows be established and be responsible for nominating two Council members to fill in gender, demographic and skills lacuna, and to deal with the various pertinent issues affecting the profession as per the proposed guidelines herein.

I. MANAGEMENT OF ELECTION CAMPAIGNS

INTRODUCTION OF ELECTION OBSERVERS TO SCRUTINIZE AND AFFIRM ADHERENCE TO ELECTION RULES BY CANDIDATES, AGENTS AND MEMBERS

Definitions:

“Observers means any non-members and members who are not candidates or have not been candidates for the last six years that, based on the Institute’s assessment, have a relevant and legitimate interest in the Election process”.

Two categories of relevant observers have been identified for the purposes of the Institute’s Elections:

- (i) Non-members and
- (ii) Members who are not candidates or have not been candidates for the last six years.

“Qualifying non-members means:

- (i) Persons in good standing from other professional bodies who are not members of the Institute; and
- (ii) Civil society organizations that meet the qualifying criteria to nominate one or more observers. Civil society organizations (CSOs) are defined, for the purpose of the Institute, as organizations that are non-governmental and not-for-profit, through which people organize themselves to pursue shared interests in the public sphere. An observer is an individual who is nominated by a qualifying entity and selected by the Institute.

Terms of Reference for election observers

1. Monitor media (including social media) in accordance with the methodology specified by the Institute
2. Monitor the pre-electoral environment, that is three months before the start of elections, the election campaigns and administrative preparations in the Area of Observation (AoO);

3. Observe election day procedures, counting and tabulation operations; Monitor post electoral developments, that is three months after the end of elections
4. Report and follow upon electoral disputes, complaints and appeals to Council and the Election Scrutineers
5. Submit an End of election report to the Council and the membership, based on the template provided by the Institute
6. Perform any additional duties and comply with any additional requests deemed necessary for the good functioning of the Institute's Elections

Roles and Responsibilities of the election observers

Under the supervision of the Observer Coordinator and in coordination with the Election Scrutineers, the Observers shall carry out the following specific tasks:

1. Familiarize themselves with the methodology of the Institute's Elections, respective roles and duties of Election Scrutineers and members, as outlined in the Accountants Act, By Laws and Election Policy and Guidelines;
2. Sign and abide by the Code of Conduct for Election Observers and by the Accountants Act, By Laws and Election Policy and Guidelines. Failure to follow those codes of conduct and instructions may result in an anticipated termination of the Observer's assignment and may lead to disciplinary action;
3. Attend training sessions, briefing and debriefing sessions, as required by the Institute on electoral process and modifications thereof;
4. Familiarize themselves with the applicable Accountants Act, By Laws and Election Policy and Guidelines;
5. Establish the presence of the Institute Observers in their assigned Area of Observation (AoO);
6. Report to the Observer Coordinator as required and follow the Observer Coordinator's instructions
7. Under the guidance of the Election Scrutineers, gather security and logistics information on the election process on their AoO;
8. Establish good working relations with the Election Scrutineers deployed in the AoO;
9. Follow up on electoral disputes, complaints and appeals;
10. Monitor local and social media in accordance with the methodology specified by the Institute (if required);
11. Monitor pre-electoral environment, the election campaign and administrative preparations in the AoO; Observe election day procedures, counting and tabulation operations; Monitor post electoral developments;
12. Submit an End of election report, based on the template provided by the Institute to Council;
13. Participate in an evaluation meeting with the Observer Coordinator at the end of the election;
14. Perform any additional duties and comply with any additional requests deemed necessary to the good functioning of the Institute's Elections.

Maximum number of Observers:

A maximum of twelve Observers may attend meetings of the Institute Observers. These includes:

- (i) Up to 6 observers from non-members;
- (ii) Up to 6 observers from members, as defined above.

Eligibility criteria:

Entities wishing to nominate an Observer must submit an expression of interest in a prescribed manner. In order to be eligible, the entity must demonstrate all of the following criteria:

- (i) Certify that it is not seeking Partnership in Contribution of funds;
- (ii) Certify that some of its Members currently do not contribute or subscribe to the Institute, or are likely to do so in the future
- (iii) Demonstrate a history of participation in elections or other related events;
- (iv) Certify that it is not seeking for Partnership towards mutual activities for Contribution of funds;

Observer selection process:

If more than six qualifying entities nominate observers, the Secretariat will select up to six observers based on the following criteria:

- (i) Maintaining balance among sectors; and
- (ii) Each qualifying entity is allocated one observer;
- (iii) Additional observers may be selected randomly from among qualifying entities that nominate more than one observer.

Justification for election observers

Election observation expresses the interest of the members in the achievement of democratic elections, as part of democratic development, including respect for human rights and the rule of law. Election observation, which focuses on member rights, is part of international human rights monitoring and must be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality. It assesses election processes in accordance with international principles for genuine democratic elections and domestic law, while recognizing that it is the member who ultimately determine credibility and legitimacy of an election process.

OTHER RECOMMENDATIONS:

1. Set a ceiling on how much candidates could spend on campaigns, and candidates to be required to provide an account of their expenditure after the elections for audit purposes.
2. The Institute to have a central “campaign platform” whereby all candidates will post their manifestos, fliers and other campaign materials.

- a. Administration of the platform to be managed by the Election Scrutineers
 - b. Candidates be allocated time to campaign on the platform, and the frequency of posting by candidates be regulated.
 - c. Members of the Institute would join the platform voluntarily.
3. The Institute to consider coming up with standardized wordings or guidelines for candidates posting on their personal social media pages.
 4. The choice of language/words used by candidates would be aligned to the Elections Policy and Guidelines. The policy to guide on the conduct of members during the campaign period and choice of language that is not infringing on other candidates or bringing the Institute into disrepute.
 5. Guidelines be given for the formation of social media groups, as it would be a challenge to stop members from using them.
 6. At the campaign forums:
 - a. to consider doing away with campaign materials like banners, flyers, T-Shirts.
 - b. to have only one Agent and sub agent for each candidate.
 - c. to have a desk for each candidate whereby members could engage them.
 10. To include profiles of all candidates in the Institute's e-magazine
 11. To consider exercising the 'cognizant rule', whereby the Secretariat acted on noticing any malpractices, by reporting the same to the Scrutineers.
 12. The Secretariat should give members highlights of the key issues contained in Elections Code of Conduct which is usually posted on the Institute's website
 13. Clarify the time period for retention of election records-both manual and digital.
 14. To come up with timelines for the expeditious hearing and determination of disciplinary cases and appeals so that this is dispensed with before election results are announced and candidates sworn in, as it can be a challenge to enforce penalties after one has been sworn in.
 15. To have clarity on who between the Election Scrutineers and the Disciplinary Committee should discipline members and/or candidates for electoral offences. It was noted that this has been handled by the Scrutineers in the past.

Perception of Members

16. The roles of the Observers, Scrutineers, the Secretariat and the CEO should be well articulated so that members understand their powers and responsibilities.
17. To protect the integrity of the elections, the administrative role of the Secretariat and the CEO should be included in the election rules and guidelines.
18. The current campaign period as provided in the AGM calendar is thirty-six (36) days. It is recommended that this period be reduced to twenty-one (21) days.

Justification:

- a. Elections should be held in a professional and transparent manner and there should be a level playing field so that all interested members have an equal opportunity of vying and being elected to the Council based on their manifestos, profile, and the confidence members have in them.
- b. Confidence in the electoral process will also encourage more suitable members

to vie for positions and also minimize the perception that the results could be manipulated.

- c. The reduced campaign period will control excessive campaigns in elections that leads to the need for huge resources and also causes fatigue for both Members and the candidates.

TRANSITIONAL PROVISIONS

1. Continuing Council members to be phased out until all members are elected, appointed or nominated under the new structure. They do not need to be aligned to sectoral representation when the new structure is implemented.
2. The transitional provisions provide for a hierarchy of positions to fill in the Council as per the proposed governance structure as and when the positions become vacant. Therefore, as each of the members of the Council under the old structure completes their existing terms, fresh elections shall be called for based on the hierarchy.

The following hierarchy is proposed:

- a. Representative of Practitioners
- b. Representative of Branches
- c. Representative of Private sector
- d. Representative of Public sector

The Council can vary this hierarchy taking into account the remaining term and sectors for Council members that are represented on the Council when a vacancy arises.

3. The College of Fellows will commence nominations once all the elective positions in the proposed governance structure are filled.
4. A member will not serve on the Council for a period exceeding six (6) years in total during the period of his membership whether under the current structure or the proposed governance structure, unless—
 - (i) Such a member at the end of their first term of three years as a Council member, contests (with or without a cooling off period) for the position of the First Vice President and if so elected, the person will serve full term of one year in that capacity and subsequently ascend to the position of President for a further three year period, in which event, that member shall be permitted to serve on the Council for a period not exceeding seven years in total during the period of membership; and
 - (ii) A Council member with an unexpired term of one or two years during his first term of office, as at the date of the election of the first President and the Vice President, during the transition period and in subsequent periods, the election of the Vice President or First Vice President (as applicable in the rotational process) after the transition period, will be eligible to contest for such a position, provided the person resigns and vacates the position as a Council Member (including the sector representation).

- (iii) In the event the candidate in (ii) above, wins the election, that member shall be permitted to serve on the Council for a period not exceeding seven years in total during the period of his membership. The vacancy so created in the Council by the resigning Council Member shall be contested and filled in during same election at the Annual General Meeting of the Institute.

Justification

- a. Current Council members already represent the electorate.
- b. The current Chairman and Vice Chairman will be phased out by the election of the First President and First Vice President. These provisions can be commenced once the term of the existing Chairman comes to an end and in line with when the proposed amendments come into law.
- c. Existing Council members to remain in office as elected members until their terms immediately after the implementation of the proposed governance structure come to an end as they have been duly elected by the members
- d. The College of Fellows will commence nominations once all the elected positions in the new structure are filled.

NOMINATION FORM: COUNCIL MEMBER 2021

We, being registered members of the Institute of Certified Public Accountants of Kenya (the Institute) in good standing, hereby nominate the following person who is a registered member of the Institute in good standing, to vie for election for the position of COUNCIL MEMBER of the Institute:

Name of Nominated Member: _____

Registration Number: _____

FULL NAME OF NOMINATED MEMBER	REG. NO.	GOOD STANDING STATUS			SIGNATURE
		SUBSCRIPTION	CPD STATUS	DISCIPLINARY	
		Have you paid up sub- scription fees for the year 2021? Yes No	Are you compliant with CPD requirements for the years 2018, 2019 and 2020 (cumulative 120hrs)? Yes No	Do you have any pending disciplinary case(s) against you? Yes No	
PROPOSED BY: -One Proposer					
REG.NO.	SUBSCRIPTION	CPD STATUS	DISCIPLINARY	SIGNATURE	
FULL NAME		Have you paid up sub- scription fees for the year 2021? Yes No	Are you compliant with CPD requirements for the years 2018, 2019 and 2020 (cumulative 120hrs)? Yes No	Do you have any pending disciplinary case(s) against you? Yes No	
SECONDED BY: One Seconder					
FULL NAME	REG. NO.	GOOD STANDING STATUS			SIGNATURE
		SUBSCRIPTION	CPD STATUS	DISCIPLINARY	
		Have you paid up sub- scription fees for the year 2021? Yes No	Are you compliant with CPD requirements for the years 2018, 2019 and 2020 (cumulative 120hrs)? Yes No	Do you have any pending disciplinary case(s) against you? Yes No	
SUPPORTED BY: Five Supporters					

NO.	FULL NAME	REG. NO.	GOOD STANDING STATUS			SIGNATURE
			SUBSCRIPTION	CPD STATUS	DISCIPLINARY	
			Have you paid up sub- scription fees for the year 2021?	Are you compliant with CPD requirements for the years 2018, 2019 and 2020 (cumulative 120hrs)?	Do you have any pending disciplinary case(s) against you? Yes No	
			Yes No	Yes No		
NO.	FULL NAME	REG. NO.	GOOD STANDING STATUS			SIGNATURE
			SUBSCRIPTION	CPD STATUS	DISCIPLINARY	
			Have you paid up sub- scription fees for the year 2021?	Are you compliant with CPD requirements for the years 2018, 2019 and 2020 (cumulative 120hrs)?	Do you have any pending disciplinary case(s) against you?	
1			Yes No	Yes No	Yes No	
2			Yes No	Yes No	Yes No	
3			Yes No	Yes No	Yes No	
4			Yes No	Yes No	Yes No	
5			Yes No	Yes No	Yes No	

ACCEPTANCE BY THE NOMINATED PERSON:

I hereby confirm that I am a registered member of the Institute of Certified Public Accountants of Kenya in good standing and that I accept the nomination to vie for election for the position of **COUNCIL MEMBER**

of the Institute of Certified Public Accountants of Kenya.

Name: _____ Registration Number: _____

Signature: _____ Date: _____

DECLARATION BY THE NOMINATED MEMBER:

I HEREBY DECLARE that I am a member of the Institute in good standing and that: -

- a) I have fully paid up my subscription fees;
- b) I am up to date with my CPD hours from 2018, 2019 and 2020 (Cumulative 120hrs); and
- c) I have no disciplinary case pending against me.

I CONFIRM that within the preceding three (3) years: -

- a) I have not been found guilty of an act of professional misconduct under section 31 of the Accountants Act, which in the opinion of the Council renders me unfit to hold the office;
- b) I have not been convicted of an offence and sentenced to imprisonment for a term of six months or more without the option of a fine;
- c) I have not been convicted of an offence involving corruption, dishonesty or abuse of office;
- d) I have not been adjudged bankrupt or entered onto a composition of scheme of arrangement with my creditor; and
- e) I have not, as a State Officer or otherwise, been found guilty of an act or been convicted of an offence that is repugnant with justice, morality or the provisions of Chapter Six of the Constitution of Kenya, 2010.

I FURTHER CONFIRM that I have submitted the following documents in support of my declaration:

- a) A certificate of good Conduct from the Directorate of Criminal Investigations (DCI);
- b) A valid Tax Compliance Certificate from the Kenya Revenue Authority (KRA);
- c) A clearance Certificate from the Higher Education Loans Board (HELB);
- d) A duly filled Declaration form to the Ethics and Anti-Corruption Commission (EACC); and
- e) A clearance from a Credit Reference Bureau (CRB).

Name of Nominated Member: _____

Registration Number: _____

Signature: _____ Date: _____

