

***Regulatory Impact Assessment on the Supplies Practitioners
Management (Examination) Regulations, 2026***



This Regulatory Impact Assessment (RIA) Statement on the Supplies Practitioners Management (Examination) Regulations, 2026 has been prepared by the Cabinet Secretary for the National Treasury and Economic Planning, in consultation with the Kenya Institute of Supplies Management (KISM) Council, pursuant to Sections 6 and 7 of the Statutory Instruments Act, CAP.2

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EXECUTIVE SUMMARY

The Cabinet Secretary for the National Treasury and Economic Planning, in consultation with the Kenya Institute of Supplies Management (KISM) Council, is pleased to present the Regulatory Impact Assessment statement for the Supplies Practitioners Management (Examination) Regulations, 2026. This Regulatory Impact Assessment (RIA) is a policy tool prepared pursuant to Sections 6 & 7 of the Statutory Instruments Act, CAP.2. It evaluates the proposed Supplies Practitioners Management (Examination) Regulations, 2026, developed under the Supplies Practitioners Management Act (Cap. 537). The purpose of Regulatory Impact Assessment (RIA) is to examine and measure the likely benefits, costs and effects of the proposed Supplies Practitioners Management (Examination) Regulations, 2026. It examines the impact of the establishment of the Supplies Practitioners Management (Examination) Regulations, 2026 whose main objective is to establish a legally binding accreditation framework for training institutions, strengthen governance, consistency, and transparency in examination management, promote examination security and professional integrity, introduce clear eligibility, registration, deferment, and appeals procedures, standardise Industrial-Based Learning (IBL) requirements and assessment, enhance alignment with the Kenya National Qualifications Framework (KNQF) and provide penalties, compliance tools, and enforcement mechanisms. The RIA concludes that the current regulatory environment is fragmented, exposing the profession to competence gaps, inconsistent training standards, and integrity vulnerabilities. A cost-benefit analysis confirms that the benefits of enacting the proposed regulations far outweigh the compliance costs. It is therefore recommended that the Regulations be adopted and gazetted.

ABBREVIATIONS AND ACRONYMS

AfCFTA	African Continental Free Trade Area
CBA	Cost-Benefit Analysis
CUE	Commission for University Education
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
ERTC	Examination Rules Technical Committee
ESG	Environmental, Social, and Governance
GVCs	Global Value Chains
IBL	Industry-Based Learning
IFPSM	International Federation of Purchasing and Supply Management
ISO	International Organisation for Standards
ITC	International Trade Centre
KEBS	Kenya Bureau of Standards
KRA	Kenya Revenue Authority
KICD	Kenya Institute of Curriculum Development
KLRC	Kenya Law Reform Commission
KISEB	Kenya Institute of Supplies Examinations Board
KISM	Kenya Institute of Supplies Management
KNQF	Kenya National Qualifications Framework
KUCCPS	Kenya University and College Central Placement Service
PSCM	Procurement & Supply Chain Management
PFM	Public Finance Management
PFMA	Public Finance Management Act
PPADA	Public Procurement and Asset Disposal Act
PPADR	Public Procurement and Asset Disposal Regulation
PPRA	Public Procurement Regulatory Authority
PSC	Public Service Commission
QAI	Qualification Awarding Institution
RIA	Regulatory Impact Assessment
RMA	Regulation-Making Authority
SIA	Statutory Instruments Act
SPMA	Supplies Practitioners Management Act
SDGs	Sustainable Development Goals
TVET	Technical and Vocational Education and Training

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CHAPTER 1

INTRODUCTION AND BACKGROUND

1.1. Introduction

The Kenya Institute of Supplies Examination Board is a body corporate established by Section 13 of the Supplies Practitioners Management Act, Cap. 537. The core mandate of KISEB is to prescribe and regulate syllabuses of instruction for professional supplies certification for persons seeking registration under the Act; prepare and conduct examinations ; prepare regulations to be made by the Institute regarding the standard of proficiency to be gained in each examination for a diploma, degree or other award; make rules with respect to such examinations; prescribe the fees and other charges payable with respect to such examinations; issue professional qualifying certificates and other awards to candidates who have satisfied the examination requirements; investigate and determine cases involving indiscipline by students registered with the Examinations Board; liaise with the Ministry of Education in accreditation of institutions offering the examination of the Board for the purpose of carrying out examinations; promote recognition of its examination in foreign countries; perform such other functions as may be necessary for proper administration of SPM Act.

Section 36(d) and (g) of the Supplies Practitioners Management Act, Cap. 537 empowers the Cabinet Secretary, in consultation with the Council, to make regulations for the effective implementation of the Act. Such regulations may provide for—

- a) The manner in which the training of the persons for whom provision is made;
- b) the subject matter of the training courses and examinations to be conducted;
- c) the conditions of admission for entry to training courses and examinations to be conducted
- d) the fees payable in respect of examinations registration; and
- e) any other matter necessary for the effective administration of the Act.

Pursuant to these powers, the Cabinet Secretary, in consultation with the Council, has developed the Supplies Practitioners Management (Examination)

Regulations, 2026 (the proposed Regulations). These Regulations are intended to operationalise and give full effect to the Supplies Practitioners Management Act, Cap. 537, particularly in relation to the administration, conduct, and management of professional examinations for supplies practitioners.

1.2 Requirements of the Statutory Instruments Act

The Statutory Instruments Act, Cap. 2 (SIA), is the legal framework governing the conduct of RIA in Kenya. Sections 6 and 7 require that if a proposed statutory instrument is likely to impose significant costs on the community or a part of the community, the Regulation-Making Authority (RMA) shall, prior to making the statutory instrument, prepare a regulatory impact statement about the instrument.

SIA further sets out certain key elements that must be contained in the RIA, namely:

- a) a statement of the objectives of the proposed legislation and the reasons for them;
- b) a statement explaining the effect of the proposed legislation, including, in the case of a proposed legislation which is to amend an existing statutory instrument, the effect on the operation of the existing statutory instrument;
- c) a statement of other practicable means of achieving those objectives, including other regulatory as well as non-regulatory options;
- d) an assessment of the costs and benefits of the proposed statutory rule and of any other practicable means of achieving the same objectives;
- e) the reasons why the other means are not appropriate;
- f) any other matters specified by the guidelines;
- g) a draft copy of the proposed statutory rule.

Section 5 of the Act requires that a regulation-making authority conduct public consultations drawing on the knowledge of persons having expertise in fields relevant to the proposed statutory instrument, and ensuring that persons likely to be affected by the proposed statutory instrument are given an adequate opportunity to comment on its proposed content

1.3 Regulatory Impact Assessment

Regulatory Impact Assessment (RIA) is a structured policy analysis tool used to evaluate and quantify the anticipated benefits, costs, and overall effects of both new and existing regulations. It takes the form of an analytical report designed

to support decision-makers by providing evidence-based insights. As part of this process, RIA examines a range of possible regulatory and non-regulatory options, with the goal of identifying the approach that delivers the highest net benefit to the public.

An RIA is typically organised around several key components, including:

- a) the title of the proposal;
- b) the objectives and intended outcomes of the policy;
- c) a clear analysis of the problem being addressed;
- d) consideration of alternative approaches;
- e) an assessment of how impacts are distributed;
- f) a summary of stakeholder consultations;
- g) proposed compliance mechanisms; and
- h) arrangements for monitoring and evaluation.

Generally conducted before the introduction of new government regulations, RIA provides a comprehensive and systematic evaluation of their likely effects, helping to determine whether the proposed measures will achieve their intended goals. It supports evidence-based policymaking by anticipating a wide range of potential impacts, many of which may not be immediately apparent.

From a broader societal perspective, RIA seeks to establish whether a proposed regulation will enhance overall welfare by ensuring that its benefits outweigh the associated costs. In this way, it contributes to a better understanding of the practical implications of regulatory actions, promotes the integration of multiple policy objectives, strengthens transparency and stakeholder engagement, and improves accountability in government decision-making.

CHAPTER 2

OBJECTS OF THE SUPPLIES PRACTITIONERS’ MANAGEMENT (EXAMINATION) REGULATIONS, 2026

2.1 Introduction

This Chapter outlines the statutory mandate of the Examinations Board under the Supplies Practitioners Management Act, Cap. 537, and sets out the specific objectives of the proposed Supplies Practitioners Management (Examinations) Regulations. The Regulations are intended to operationalise the Board’s examination-related functions by providing a structured, transparent, and enforceable framework for the administration, management, and quality assurance of professional supplies examinations. In doing so, they seek to enhance the credibility, integrity, and alignment of the certification process with national and international standards.

2.2 Functions of the Board

Section 13 of the SPM Act, Cap. 537, mandates the Examinations Board to conduct examinations for professional supplies certification and, in particular, to:

- (a) Prescribe and regulate syllabuses of instruction for professional supplies certification for persons seeking registration under the Act;
- (b) Prepare and conduct examinations for persons seeking registration under the Act;
- (c) Prepare regulations to be made by the Institute regarding the standard of proficiency to be gained in each examination for a diploma, degree or other award; and
- (d) Make rules with respect to such examinations;
- (e) Prescribe the fees and other charges payable with respect to such examinations;
- (f) Issue professional qualifying certificates and other awards to candidates who have satisfied the examination requirements;
- (g) Investigate and determine cases involving indiscipline by students registered with the Examinations Board;
- (h) Liaise with the Ministry of Education in accreditation of institutions offering the examination of the Board for the purpose of carrying out examinations;

- (i) Promote recognition of its examination in foreign countries;
- (j) Perform such other functions as may be necessary for proper administration of this Act

2.3 Specific Objectives of the Regulations

The proposed regulations aim to achieve the following:

- 2.3.1 Establish a legally binding accreditation framework for training institutions.
- 2.3.2 Strengthen governance, consistency, and transparency in examination management.
- 2.3.3 Promote examination security and professional integrity.
- 2.3.4 Introduce clear procedures for eligibility, registration, deferment, and appeals.
- 2.3.5 Standardise Industrial-Based Learning (IBL) requirements and assessment.
- 2.3.6 Enhance alignment with the Kenya National Qualifications Framework (KNQF).
- 2.3.7 Provide for penalties, compliance mechanisms, and enforcement measures.

CHAPTER 3

BACKGROUND AND CONTEXT

3.1 Introduction

This Chapter provides the background and contextual framework within which the proposed Supplies Practitioners Management (Examinations) Regulations, 2026 have been developed. It situates the Regulations within the broader policy, legal, and institutional environment governing professional education, training, and certification in Kenya. The Chapter further examines the domestic, regional, and international drivers for reform, including the evolution of the procurement and supply chain management profession, regional integration imperatives, and global trends in skills development. It also outlines the role of the Kenya Institute of Supplies Examination Board (KISEB) in administering professional examinations.

3.2 Policy and Legal Background

The proposed Regulations are anchored in a range of policy and legal frameworks that guide professional education, training, certification, and regulation. These frameworks collectively emphasise the need for standardisation, quality assurance, transparency, accountability, and alignment with national, regional, and international development priorities.

3.2.1. Domestic Context

At the national level, the proposed Regulations are anchored in the Constitution of Kenya, 2010, which establishes the overarching principles of governance, public finance management, and public service delivery.

In particular, Article 10 of the Constitution sets out the national values and principles of governance, including good governance, integrity, transparency, accountability, and sustainable development. These principles provide the normative foundation for the regulation of professional examinations, requiring that such processes be fair, transparent, and accountable.

With respect to public procurement, Article 227 of the Constitution requires that when a public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent, competitive, and cost-effective. This constitutional standard underscores the need for competent and

professionally certified procurement practitioners, thereby reinforcing the importance of credible examination and certification systems.

On public finance, Article 201 outlines the principles that shall guide all aspects of public finance in Kenya, including openness, accountability, and responsible financial management. These principles highlight the critical role of procurement professionals in safeguarding public resources, further justifying the need for rigorous professional training and assessment.

In relation to public service, Article 232 provides for the values and principles of public service, including high standards of professional ethics, efficient and effective use of resources, responsive and prompt service delivery, and accountability for administrative acts. These provisions directly support the establishment of structured, transparent, and merit-based examination systems that uphold professionalism and integrity.

The primary statutory framework for the regulation of the supplies profession is the Supplies Practitioners Management Act, Cap. 537, which mandates the Examinations Board to conduct professional examinations, regulate syllabuses, and issue certifications. The Act therefore necessitates detailed regulations to operationalise these functions.

The evolution of the procurement and supply chain management profession in Kenya provides further context for the proposed Regulations. Historically, procurement functions were largely administrative, focusing on routine purchasing and stores management, with limited standardisation and weak oversight. However, successive public sector reforms have transformed procurement into a strategic function central to public financial management and service delivery.

A key milestone in this transformation was the enactment of the Public Procurement and Disposal Act, 2005, which introduced a structured legal framework for public procurement. This was subsequently strengthened by the Public Procurement and Asset Disposal Act, 2015, which operationalises Article 227 of the Constitution and embeds principles of fairness, equity, transparency, competitiveness, and cost-effectiveness.

In parallel, the professionalisation of the field led to the establishment of the Kenya Institute of Supplies Management under the Supplies Practitioners Management Act, Cap. 537, to regulate training, registration, and practice. The profession has since evolved into a multidisciplinary field encompassing strategic

sourcing, supply chain optimisation, risk management, sustainability, and value creation.

This evolution has increased the demand for highly competent and ethically grounded practitioners, thereby underscoring the importance of robust examination, certification, and quality assurance systems.

Additionally, the Kenya National Qualifications Authority, through the Kenya National Qualifications Framework (KNQF), provides a unified system for classification, registration, and quality assurance of qualifications. Alignment with the KNQF ensures that professional certifications are standardised, comparable, and nationally recognised.

3.2.2 Regional Context

At the regional level, the proposed Regulations are aligned with integration frameworks that seek to harmonise education, training, and professional standards across African economies. Notably, the African Continental Free Trade Area aims to create a single market for goods and services, with provisions that support the mobility of skilled labour and mutual recognition of qualifications across member states.

The implementation of the AfCFTA, alongside regional initiatives within the East African Community (EAC), underscores the need for credible, standardised, and comparable professional certification systems. As labour mobility increases, professionals in procurement and supply chain management are expected to operate across borders, requiring qualifications that are recognised and trusted regionally.

Furthermore, regional protocols on the free movement of labour emphasise the development of harmonised competency frameworks and quality assurance mechanisms. These frameworks aim to facilitate the portability of skills and enhance employment opportunities within the region.

In this context, the proposed Regulations contribute to regional integration by strengthening the credibility, transparency, and comparability of professional examinations in Kenya. By aligning with regional expectations on quality and integrity, the Regulations support the recognition of Kenyan qualifications and enhance the competitiveness of Kenyan professionals within the African labour market.

3.2.3. International Context

Globally, there is increasing emphasis on skills development, lifelong learning, and competency-based education as key drivers of economic growth and competitiveness. The International Labour Organization has been at the forefront of promoting skills systems that are responsive to labour market needs, inclusive, and aligned with decent work principles.

International frameworks advocate for robust systems of assessment and certification that ensure the reliability, validity, and credibility of qualifications. These systems emphasise quality assurance, transparency, stakeholder engagement, and continuous improvement.

In addition, global trends in supply chain management—such as digital transformation, sustainability, resilience, and risk management—have increased the complexity of professional practice. This necessitates examination systems that not only assess technical knowledge but also evaluate practical competencies and ethical standards.

The proposed Regulations draw on these international best practices by incorporating structured examination processes, accreditation standards, and mechanisms for monitoring and evaluation. They also promote transparency, accountability, and stakeholder participation, in line with globally accepted principles of good regulatory practice.

3.3 Kenya Institute of Supplies Examination Board (KISEB)

The Kenya Institute of Supplies Examination Board (KISEB) is the body mandated to administer professional examinations in the field of supply chain management in Kenya. It operates under the provisions of the Supplies Practitioners Management Act, Cap. 537 and is responsible for ensuring that examinations are conducted in a fair, credible, and transparent manner.

KISEB's core functions include the development and regulation of examination syllabuses, administration of examinations, certification of successful candidates, and enforcement of examination standards. The Board also plays a critical role in safeguarding the integrity of the certification process by addressing examination malpractice and promoting ethical conduct.

In addition, KISEB collaborates with relevant government agencies, training institutions, and professional bodies to ensure the quality, relevance, and recognition of its qualifications both nationally and internationally.

The proposed Regulations are intended to strengthen KISEB's institutional and regulatory capacity by providing a comprehensive framework to guide its operations. This includes enhancing governance structures, standardising

procedures, improving examination security, and ensuring alignment with national, regional, and international standards.

CHAPTER 4

EVALUATION OF THE PROBLEM

4.1 Introduction

This Chapter defines the problem that the proposed Regulations seek to address. It presents evidence on the nature, scope, and magnitude of the challenges within the procurement and supply chain management (PSCM) training and examination ecosystem, and explains the underlying causes necessitating regulatory intervention.

4.2 Problem Statement / Regulatory Gap

A diagnostic review of Kenya's procurement and supply chain training and certification framework reveals systemic weaknesses that undermine the quality, credibility, and consistency of professional qualifications. These gaps point to the absence of a comprehensive, enforceable regulatory framework to guide accreditation, examination governance, training standards, and compliance. The key problem areas are outlined below:

4.2.1 Inadequate Accreditation Criteria for Institutions Offering Professional Supply Chain Management Courses

Kenya's procurement and supply chain training landscape has grown rapidly, with universities, colleges, and private academies introducing programmes to meet rising market demand. However, this expansion has occurred in the face of inadequate enforceable accreditation standards specific to procurement and supply chain management (PSCM). As a result, institutions deliver curricula of varying depth, rigour, and alignment to industry needs. This inconsistency has produced uneven graduate competencies and created uncertainty among employers regarding the credibility of PSCM qualifications. Without standardised professional training criteria, the sector lacks coherence, comparability, and assurance of minimum quality in training.

4.2.2 Inadequate Governance Over National Examinations

National professional examinations are a critical mechanism for assuring the competence of procurement professionals, yet governance in this area has historically been fragmented. Examination development, moderation, administration, and evaluation have been conducted under varying levels of oversight and professional rigour. Some examinations reflect strong methodological design, while others fall short of expected national and international standards. This inconsistency undermines the reliability of the certification system, leading to perceptions of unpredictability in assessment quality. A strong, centralised governance framework is therefore necessary to

coordinate examination processes and ensure uniformity, fairness, and technical competence across all assessment activities.

4.2.3 Rising Cases of Examination Malpractice Due to Weak Controls

The integrity of national examinations has increasingly come under threat from rising cases of malpractice. Weak internal controls, limited surveillance capacity, and outdated administration systems have created opportunities for unethical behaviour. Incidents such as unauthorised access to exam materials, impersonation, collusion, and leakage have been reported with growing frequency. These malpractices erode public trust in the certification process and diminish the value of professional qualifications. Without strengthened oversight, tighter controls, and enforceable sanctions, examination integrity remains vulnerable and the credibility of the profession compromised.

4.2.4 Insufficient Standards for Industrial-Based Learning (IBL)

Industrial-Based Learning (IBL) is a vital component of procurement and supply chain management training, providing students with hands-on exposure to procurement processes, compliance systems, and supply chain operations. However, the sector lacks clear, standardised guidelines governing the structure, duration, supervision, and expected outcomes of IBL programmes. As a result, students' practical experiences differ widely depending on their placement institution and mentor capacity. Some trainees benefit from structured, high-quality learning environments, while others receive minimal exposure or limited engagement. This inconsistency has resulted in a workforce with uneven practical skills and limited readiness for real-world procurement roles.

4.2.5 Inadequate Legal Backing for Enforcement, Penalties, and Quality Assurance

A fundamental gap exists in the absence of a comprehensive and enforceable legal framework governing PSCM training, examinations, and professional conduct. Without clear statutory backing, the Kenya Institute of Supplies Examination Board (KISEB) has limited capacity to enforce compliance, standardise practices, accredit institutions, or effectively address examination malpractice.

This regulatory vacuum has allowed non-compliant institutions and practices to persist without consequence, while weakening the authority of the certification system. A robust legal framework is therefore necessary to anchor regulatory oversight, provide enforcement mechanisms, impose penalties, and ensure accountability across the PSCM ecosystem.

CHAPTER 5

LEGAL AND POLICY FRAMEWORK FOR THE SUPPLIES PRACTITIONERS' MANAGEMENT (EXAMINATION) REGULATIONS, 2026

5.0. Introduction

The Supplies Practitioners' Management (Examination) Regulations, 2026 are anchored in Kenya's constitutional, statutory, policy, and international commitments that guide the regulation of professional standards, public procurement, and education quality assurance. This framework provides the legal justification for creating a robust examination system for procurement and supply chain practitioners, ensuring integrity, professionalism, and alignment with national development priorities.

5.1. Constitutional Foundation

5.1.1 Constitution of Kenya, 2010

The Constitution of Kenya provides the highest legal authority for the development and enforcement of professional examination regulations. Through Article 10, the Constitution embeds national values and principles of governance, such as integrity, transparency, accountability, and good governance, that must guide the regulation of all examination processes. Article 43 affirms the right of every Kenyan to education, which extends to quality-assured professional training and certification. Furthermore, Article 232 underscores the values of public service, including competence, ethical conduct, and professionalism, directly supporting the need for a regulated system that ensures only qualified individuals are admitted into the procurement profession.

In addition, the Fourth Schedule assigns responsibility for education policy, curriculum, examinations, and professional regulation to the national government. This constitutional allocation provides legitimacy for the establishment of national examination frameworks, such as those administered by KISEB, and supports the development of specific examination regulations for supply chain practitioners.

5.2 Statutory and Regulatory Basis

5.2.1 Supplies Practitioners' Management Act (SPMA), Cap.537

The SPMA is the principal law underpinning the regulation of procurement and supply chain management practice in Kenya. The Act establishes the Kenya Institute of Supplies Examination Board (KISEB) and grants it the mandate to develop, administer, and manage examinations for professionals in the field. It empowers the Board to formulate standards, accredit training institutions, regulate examinations, and enforce disciplinary actions where necessary.

The Examination Regulations, 2026, operationalise the SPMA by detailing the procedures for examination development, administration, integrity management, and post-examination processes. Through these Regulations, the Board exercises its statutory authority to ensure that examinations are credible, fair, and aligned with industry expectations.

5.2.2 Public Procurement and Asset Disposal Act (PPADA), 2022 and Regulations, 2020.

The PPADA reinforces the need for professionalism, competence, and ethical behaviour in public procurement, an area that is central to national economic governance. It emphasises that procurement officers must be properly trained, certified, and accountable for their actions. A structured, well-regulated examination system is therefore necessary to ensure that individuals entering the profession possess the technical competencies and ethical foundation demanded by the PPADA. By providing for the certification of practitioners, the Regulations support the PPADA's objective of strengthening integrity, transparency, and accountability within public procurement processes.

5.2.3 Technical and Vocational Education and Training (TVET) Act, Cap.210A

The TVET Act establishes national standards for training institutions and programmes, ensuring consistency and quality across technical and professional education. It provides mechanisms for registering institutions, accrediting programmes, and enforcing quality assurance. The Examination Regulations align with the TVET Act by ensuring that PSCM training programmes offered by accredited institutions meet uniform standards and prepare learners adequately for national examinations administered by KISEB.

5.2.4 Kenya National Qualifications Framework (KNQF) Act, Cap. 214

The KNQF Act establishes a unified national system for defining, classifying, and evaluating qualifications. It ensures comparability of qualifications across institutions and sectors, provides guidelines for competency-based curricula, and sets standards for assessment. The Regulations will align KISEB's

examination processes with KNQF standards, ensuring that supply chain qualifications are nationally recognised, comparable, and appropriately benchmarked to global expectations.

5.2.5 Public Finance Management (PFM) Act, 2012 and Regulations, 2015

The PFM Act places significant responsibility on procurement officers to safeguard public resources through efficient and ethical financial management. Examination regulations will support the PFM framework by ensuring that practitioners have the necessary competencies and professional integrity to manage procurement-related financial processes effectively and lawfully.

5.2.6 Ethics and Anti-Corruption Commission (EACC), Act, 2011

EACC is mandated to promote integrity and combat corruption in public service. The Examination Regulations will contribute to this mandate by establishing clear standards for examination integrity, prohibiting malpractice, and introducing sanctions for unethical behaviour. By enhancing the credibility of certification processes, the Regulations will help build a cadre of professionals committed to ethical procurement practices.

5.3. National Education and Skills Development Policies

5.3.1 Kenya Vision 2030

Kenya Vision 2030 articulates the country's long-term development agenda, emphasising the need for a skilled, competent, and ethical workforce to drive economic transformation. The Vision identifies professionalisation, human capital development, and institutional strengthening as key pillars for sustainable growth. The Examination Regulations will directly support these objectives by professionalising supply chain management, ensuring rigorous assessment standards, and promoting ethical practices among certified practitioners. By linking professional certification to Vision 2030, the Regulations will help ensure that the procurement sector contributes effectively to national development priorities.

5.3.2 Sustainable Development Goals (SDGs)

The SDGs provide a global framework for development, including targets relevant to education, decent work, economic growth, and institutions. The Regulations will specifically support the following SDGs:

- **SDG 4 (Quality Education):** By standardising curricula, accreditation, and assessment, the Regulations will promote inclusive and equitable quality education for supply chain practitioners.

- **SDG 8 (Decent Work and Economic Growth):** Ensuring competent and professional procurement officers strengthen public sector efficiency and contribute to sustainable economic growth.
- **SDG 16 (Peace, Justice, and Strong Institutions):** By enhancing integrity, transparency, and accountability in examinations and professional certification, the Regulations will reinforce the effectiveness of public institutions and ethical governance.

5.4 Other Related Acts and Policies

The regulatory environment for the Supplies Practitioners' Management (Examination) Regulations, 2026 is supported and complemented by several other statutes, policies, and institutional guidelines that collectively provide a robust framework for professional training, certification, governance, and ethical conduct in Kenya.

The Basic Education Act, 2013 establishes the legal foundation for ensuring access to quality basic education, creating the pipeline of learners who may later pursue higher and professional education in fields such as procurement and supply chain management. Similarly, the Science, Technology and Innovation Act, 2013 underscores the importance of fostering innovation and technological competence, which directly informs curriculum development and professional competency in modern supply chain practices.

The Universities Act, Cap. 210, provides the framework for governance, accreditation, and quality assurance of higher education institutions, ensuring that university-level programmes align with national professional standards. The State Corporations Act, 2012 and Mwongozo: The Code of Governance for State Corporations establish governance and accountability requirements for parastatal entities, which include professional training institutions and examination boards such as KISEB. These Acts and codes ensure that state-affiliated institutions operate transparently and adhere to ethical management principles.

The Industrial Training (Amendment) Act, Cap.237 and the Public Private Partnerships Act, 2021 provide mechanisms for structured workplace training, industrial attachments, and collaborative partnerships between public institutions and the private sector, which are crucial for practical industrial-based learning (IBL) components of professional programmes.

Human resource governance is further reinforced through the Conflict-of-Interest Act, 2025, the Employment Act, 2007, the Leadership and Integrity Act, 2012, and the Public Service (Values and Principles) Act, 2015. Together, these laws define ethical standards, values, principles, and professional conduct

expected of public officers, including procurement professionals. They provide a basis for incorporating ethics, integrity, and accountability into examination frameworks and professional certification.

Education-specific oversight is strengthened by the Kenya Institute of Curriculum Development Act, 2013, which guides curriculum design and development, ensuring that professional programmes are aligned with national standards and competencies. The Kenya National Examinations Council Act, 2012, establishes standards for national examinations, providing a model and reference point for KISEB's own examination governance.

The National Policy on Gender and Development, 2000, emphasises equity and inclusivity, which informs examination policies to ensure that access and opportunities for certification are equitable across gender and socio-economic lines. The Public Audit Act, 2003, provides mechanisms for accountability in public resource management, reinforcing the need for professional competence among certified procurement practitioners.

Institutional and operational guidance is provided through the Public Service Commission Act, 2017, its accompanying Regulations, 2020, and the KISEB institutional policies, including the Examination Administration Policy, Exemption Policy, and Accreditation Policy. These policies provide practical procedures for examination management, candidate assessment, recognition of prior learning, institutional accreditation, and quality assurance. Collectively, they operationalise statutory mandates and ensure that the examination framework is consistent, fair, and professionally credible.

CHAPTER 6

PUBLIC CONSULTATIONS

6.1. Legal requirements relating to consultation and public participation

The process of stakeholder consultations in preparation of the proposed Regulations is in line with Article 10 of the Constitution of Kenya 2010, and Section 5 of the Statutory Instruments Act, Cap. 2.

6.2. Initial Development and Consultation Process

The need for the Supplies Practitioners' Management (Examination) Regulations arose because the current SPM Examination Rules were last revised in 2015 and are now due for review in accordance with Section 20 of the Statutory Instruments Act, Cap. 2A, which requires a review every ten years. Under the Act, the existing regulations are set to expire on 5th November 2025.

Furthermore, a court petition (HCCHRPET E551/2021) highlighted concerns over the absence of effective regulations governing the administration of examinations by the Kenya Institute of Supplies Examination Board (KISEB). This review seeks to address the identified gaps, strengthen the regulatory framework, and ensure full compliance with legal requirements, including alignment with the *Guidelines for the Development of National Policy and Legislation, 2024*.

At its meeting held on 3rd January 2025, the Board of Directors directed management to engage the Kenya Law Reform Commission (KLRC) and the Office of the Attorney General to initiate the drafting of the Supplies Practitioners' Management (Examination) Regulations. This directive was informed by the need to fully operationalise the Act, address gaps identified in the Examination Regulations, 2015, and ensure compliance with statutory requirements, including alignment with the *Guidelines for the Development of National Policy and Legislation, 2024*.

Following the Board's approval, an Examination Rules Technical Committee (ERTC) was constituted to spearhead the development of the Regulations. The Committee comprised representatives from key technical departments—Examinations, Marketing, Corporate Communications, IT, Internal Audit, and Finance. To strengthen technical capacity, the Board further engaged the Kenya Institute of Supplies Management (KISM), the National Treasury and Economic

Planning, the KLRC, and the Office of the Attorney General, requesting nomination of officers to support the ERTC in drafting the Regulations.

Formal letters were dispatched on 15th January 2025 to these institutions seeking nominations. In response, the KLRC nominated two representatives, the Office of the Attorney General nominated one representative, KISM nominated two representatives, and the National Treasury and Economic Planning nominated one representative. These representatives joined the internal team to provide technical, legal, and policy support throughout the drafting process.

The ERTC held its first inception meeting on 17th February 2025 at KISM Towers, 10th Floor, where members reviewed and clarified their Terms of Reference. During this meeting, the Committee began planning the drafting process, stakeholder engagement strategy, and timelines. A follow-up meeting held on 24th February 2025 at the same venue resulted in the development and adoption of the Legislative Scheme and the Roadmap for the Development of the Regulations.

To deepen the technical work, the ERTC convened a retreat in Naivasha from 7th to 11th April 2025. The sessions focused on analysing KISEB's mandate, reviewing relevant provisions of the SPM Act, Cap.537, identifying areas requiring regulatory intervention, and preparing drafting instructions. After this retreat, the KLRC team embarked on a two-week internal retreat to develop the zero draft of the Regulations, engaging virtually with the ERTC for clarification and refinement.

A second working retreat was convened in Naivasha from 29th June to 4th July 2025 to review, discuss, and enrich the zero draft.

6.3. Internal Stakeholder Consultations

6.3.1. Senior Management and Staff Consultations.

During the Naivasha retreat of 29th June to 4th July 2025, the first two days were dedicated to consultations between Senior Management and the ERTC. Senior Management reviewed the zero-draft Regulations and provided feedback. All comments were subsequently evaluated by the ERTC during the meeting, and agreed-upon proposals were incorporated. A comprehensive matrix of comments and responses was also prepared.

6.3.2. Council and Board Consultations

From 2nd to 4th July 2025, the ERTC met with the Board of Directors and the KISM Council in Naivasha to present the zero draft Regulations. Board and

Council members offered additional recommendations to strengthen the document. To integrate this feedback, the ERTC held another working retreat in Naivasha from 13 to 17 January 2026, where the Committee refined the draft Regulations and prepared the first draft of both the Regulations and the Draft Regulatory Impact Assessment Report.

6.4. External Stakeholder Consultations

Pursuant to Section 5 of the Statutory Instruments Act, the ERTC identified key stakeholders for broad-based consultations. These included partner government agencies, industry players, training institutions, professional bodies, and individuals likely to be directly or indirectly affected by the proposed Regulations. They include:

- i. National Treasury
- ii. Kenya Institute of Supplies Management
- iii. Regulatory bodies: KNQA, TVETA, KICD, PPRA, KUCCPS, CUE,
- iv. Ministry of Education
- v. Employers in public and private sectors
- vi. Development Partners
- vii. Kasneb
- viii. Public
- ix. Examiners

6.5. Approach and Methodologies

According to the Examination Rules Technical Committee (ERTC) calendar of events, the stakeholder consultations were intended to be undertaken in the months of December 2025 and February 2026. The Examination Rules Technical Committee (ERTC) opted to adopt the following methodology:

- (a) Post draft copies of the proposed Regulations together with a notice of the Regulatory Impact Assessment on the Board's Website.
- (b) Write letters and emails to the stakeholders inviting them to make their submissions on the draft Regulations within a specified time.
- (c) Post an advertisement in a newspaper with national circulation, inviting any person or institution to make their submissions within a specified date and directing them to where they can get copies of the Regulations.
- (d) Hold physical meetings with key stakeholders
- (e) Hold virtual/online meetings with select stakeholders where possible.

CHAPTER 7

COST-BENEFIT ANALYSIS

7.1 Introduction

Cost-benefit analysis (CBA) is an essential tool used by regulatory decision makers—in this case, the Regulation-Making Authority (RMA)—to determine the financial and societal implications of a proposed regulation. Through CBA, the RMA evaluates and assigns monetary values to all anticipated costs and benefits, including both direct impacts and secondary effects that a regulation may impose on society. This broad assessment encompasses consequences for industry, government, individual citizens, communities, the environment, and the wider economy.

By quantifying these elements, CBA enhances the transparency and accountability of the regulatory process. It enables statutory instruments to be developed in a manner that is open and accessible to the public, stakeholders, experts, and Parliament, thereby strengthening democratic oversight. The process requires the RMA to articulate and justify its reasoning, revealing which factors were considered and how they were evaluated. This transparency allows external parties to understand, question, and critique the RMA’s analysis, including its assumptions, calculations, and policy choices.

Section 7(1) of the Statutory Instruments Act (SIA) reinforces this requirement by stipulating that a regulatory impact statement must set out, in clear and precise language, *“an assessment of the costs and benefits of the proposed statutory rule and of any other practicable means of achieving the same objectives.”* This ensures that decision makers carefully weigh alternative approaches and adopt regulatory measures that deliver the highest net benefit to society.

7.2 Cost-Benefit Analysis for the Supplies Practitioners’ Management (Examination) Regulations, 2025

The formulation of the Supplies Practitioners’ Management (Examination) Regulations, 2026 requires a careful assessment of their anticipated economic and social impacts in accordance with Section 7(1) of the Statutory Instruments Act (SIA). This Cost-Benefit Analysis (CBA) evaluates the direct and indirect costs and benefits of implementing the proposed Regulations, as well as alternative means of achieving the same policy objectives.

7.3 Schedule of Fees

The Board proposes the following fees to be imposed for services rendered:

Table 1: SCHEDULE OF FEES

S/no	Type of Services	Fee Payable (Kshs)	Justifications
1.	Application for Accreditation	10,000.00	<i>Covers administrative costs of processing applications, preliminary document review, and due diligence to assess institutional readiness prior to full evaluation.</i>
2.	Full Accreditation (Five years)	30,000.00	<i>Reflects the cost of comprehensive institutional evaluation, including technical assessment, site inspections, expert review panels, and ongoing quality assurance over the accreditation period.</i>
3.	Provisional Accreditation (Eighteen months)	10,000.00	<i>Provides a lower-cost entry for institutions undergoing capacity development, while covering limited evaluation and monitoring costs during the provisional period.</i>
4.	Renewal of accreditation (Five years)	30,000.00	<i>Supports re-evaluation of institutions to ensure continued compliance with standards, including updated assessments, inspections, and quality audits.</i>
5.	Institutional Assessment Fees	2,000.00	<i>Recovers costs associated with routine inspections, monitoring visits, and verification of compliance with accreditation requirements.</i>
6.	Registration of Candidates	CPSP- 5,500.00 APSP- 5,000.00	<i>Covers candidate onboarding, verification of academic credentials, database management, and administrative processing. The differential reflects variation in programme level and complexity.</i>
7.	Late Registration Fee	CPSP- 8000 APS- 7000	<i>Acts as a deterrent against late applications while covering additional administrative burden, system adjustments, and logistical disruptions caused by delayed registration.</i>
8.	Examination Entry Fee	APS Level 1- 2200 per paper APS Level 2- 3200 per paper APS Level 3- 3200 per paper CPSP Level 1- 2500 per paper	<i>Reflects the cost of examination development, moderation, administration, marking, and results processing. Higher levels attract higher fees due to increased complexity, specialised examiners, and more rigorous assessment standards.</i>

		CPSP Level 2- 3500 per paper CPSP Level 3- 4000 per paper	
9.	Registration Renewal Fee	CPSP-1500 APS- 1200	<i>Supports maintenance of the professional register, continuous record updates, and regulatory oversight of active candidates.</i>
10.	Registration Re-instatement Fee	APS- 5000 CPSP- 5500	<i>Covers administrative costs of reactivating lapsed registrations, including verification, system reinstatement, and compliance checks. Also acts as a deterrent against non-compliance.</i>
11.	Examination Deferment Fee	15% of the applicable examination fee	<i>Recovers administrative costs associated with rescheduling candidates, adjusting examination logistics, and managing deferred entries, while remaining proportionate to the original fee.</i>
12.	Examination Remarking Fee	CPSP – 7500 APS - 5000	<i>Covers the cost of independent re-evaluation by qualified examiners, quality assurance processes, and administrative handling. The fee discourages frivolous requests while ensuring fairness.</i>
13.	Conferment Fee	500.00	<i>Covers administrative costs related to processing awards, preparation of conferment lists, and official recognition of successful candidates.</i>
14.	Certificate Storage Fee	100 per month	<i>Encourages timely collection of certificates while covering storage, record management, and document security costs.</i>
15.	Industrial Based Learning Assessment Fee	15000	<i>Reflects costs of supervising, evaluating, and validating workplace-based learning, including assessor engagement, site visits, and report evaluation.</i>
16.	Exemption and Credit Transfer Fee	3750	<i>Covers the technical evaluation of prior learning, benchmarking of qualifications, and verification processes to ensure equivalence and integrity of the certification system.</i>

The proposed fees are guided by the principles of cost recovery, affordability, fairness, and sustainability. They are designed to ensure that KISEB can effectively discharge its regulatory mandate, maintain high standards of examination and certification, and safeguard the integrity and credibility of the profession, while avoiding undue financial burden on stakeholders.

7.4 Benefits of the Proposed Regulations

The proposed Regulations offer significant benefits to the procurement and supply chain sector, the Government of Kenya, industry stakeholders, and the public at large.

a) Strengthened Professional Standards

The Regulations introduce uniform examination, accreditation, and certification standards, resulting in a more competent, ethical, and reliable cadre of procurement and supply chain professionals. This enhances public confidence in procurement processes, reduces inefficiencies, and contributes to better utilisation of public funds.

b) Enhanced Examination Integrity and Credibility

By embedding robust examination controls, ethical requirements, and enforcement mechanisms, the Regulations reduce the risks of malpractice, fraud, and manipulation of assessment outcomes. This strengthens the credibility of national qualifications in procurement and supply chain management.

c) Alignment with National and International Standards

The Regulations support Kenya's development agenda by aligning professional training and assessment with:

- i. Kenya Vision 2030 (human resource development and efficient public service),
- ii. SDG 4 (quality education),
- iii. SDG 8 (decent work and economic growth), and
- iv. SDG 16 (effective institutions).

They also enhance Kenya's competitiveness within regional frameworks such as the EAC, AfCFTA, and international bodies such as CIPS and IFPSM.

d) Improved Quality Assurance and Compliance

Clear legal backing enables KISEB to enforce quality standards, accredit institutions effectively, and sanction misconduct. This contributes to a more trustworthy and consistent professional ecosystem.

e) Economic and Efficiency Gains

A competent procurement and supply chain workforce reduces wastage, improves contract performance, enhances supply chain efficiency, and contributes to cost savings in both the public and private sectors. These gains have long-term positive effects on national economic performance.

7.5 Costs of Implementing the Regulations

The implementation of the Regulations is associated with several costs, which are, however, outweighed by the long-term benefits.

a) Institutional Compliance Costs

Training institutions will need to adjust to new accreditation standards, invest in faculty development, and meet new quality assurance requirements. Although these changes require financial investment, they improve the credibility and marketability of the professional programmes.

b) Administrative and Operational Costs for KISEB

KISEB will incur additional costs related to:

- i. Developing secure examination systems,
- ii. Monitoring accredited institutions,
- iii. Managing ethical and disciplinary processes, and
- iv. Upgrading ICT platforms for exam administration and data security.

These costs will be financed through existing budgetary allocations, examination fees, and efficiency gains over time.

c) Candidate Compliance Costs

Candidates may incur modest expenses related to:

- i. Registration under new standards,

- ii. Participation in structured industrial-based learning (IBL), and
- iii. Sitting for revised examinations.

However, these costs are offset by the enhanced value of the certification and improved employment prospects.

Benefits and Costs arising from the new features of the Supplies Practitioners' Management (Examination) Regulations, 2026 can be summarized in the table below.

Table 2: Cost-benefit Analysis

Problem Identified	Proposed Reform	Expected Benefits	Associated Costs
Lack of uniform accreditation criteria for institutions offering procurement courses	Introduce 26 standardized accreditation criteria and institutional quality assurance requirements	<ul style="list-style-type: none"> -Improved consistency in training quality -Enhanced credibility of institutions -Better alignment with national and international standards 	<ul style="list-style-type: none"> -Institutional adjustments to meet accreditation standards - Cost of audits, quality reviews, and compliance
Inadequate governance of national examinations with inconsistent quality	Establish clear governance structures, moderation procedures, and examination standards	<ul style="list-style-type: none"> -Higher reliability and fairness of examinations -Professionalization of assessment processes -Stronger public confidence in certifications 	<ul style="list-style-type: none"> -KISEB administrative upgrades -Training for examiners and moderators
Rising cases of examination malpractice	Implement robust examination security	<ul style="list-style-type: none"> -Reduced malpractice incidents 	<ul style="list-style-type: none"> -Investment in examination security systems

due to weak controls	measures, ethical codes, and enforceable penalties	<ul style="list-style-type: none"> -Strengthened the integrity of national certification -Protection of candidates' rights and fairness 	<ul style="list-style-type: none"> -Cost of enforcement and disciplinary processes
Insufficient standards for Industrial-Based Learning (IBL), leading to inconsistent exposure	Develop structured IBL guidelines, supervisory requirements, and evaluation frameworks	<ul style="list-style-type: none"> -Uniform practical training for all candidates -Stronger industry-relevant skills -Increased employability of graduates 	<ul style="list-style-type: none"> -Costs for institutions to coordinate and supervise IBL - Potential stipend or logistical costs for placements
Lack of legal backing for enforcement, penalties, and quality assurance	Introduce comprehensive regulations under the SPMA to provide legal authority for compliance and sanctions	<ul style="list-style-type: none"> -Improved accountability and compliance -Clear enforcement mechanisms -Legal certainty for KISEB operations 	<ul style="list-style-type: none"> - Legal drafting, implementation training, and awareness campaigns
Misalignment with Vision 2030, SDGs, and emerging global standards	Align standards with Vision 2030, SDG 4, 8, and 16, and global professional benchmarks	<ul style="list-style-type: none"> - Globally competitive workforce -Contribution to economic growth and strong institutions - Harmonisation with regional and international frameworks 	<ul style="list-style-type: none"> - Curriculum and examination redesign costs -Stakeholder consultation expenses

7.6 Assessment of the Impacts

The proposed Supplies Practitioners' Management (Examination) Regulations, 2026, are expected to generate a wide range of impacts across social, economic, environmental, political, and human-rights dimensions. Socially, the regulations will enhance the credibility, professionalism, and integrity of the supplies management profession by ensuring that examinations are administered in a transparent, fair, and accountable manner. This improvement in standards will contribute to increased public trust in procurement practitioners, reduce malpractice, and promote merit-based career progression. The Regulations also support social equity by ensuring that candidates across all regions have access to uniform, well-structured examination processes that minimise discrimination and promote equal opportunity.

Economically, the regulations will strengthen the procurement and supply chain ecosystem by producing better-skilled practitioners capable of driving efficiency, reducing waste, and improving value for money in public and private procurement. Improved examination quality will translate to better-qualified professionals who can contribute to enhanced organisational performance, reduced procurement risks, and more competitive markets. While implementing the regulations may impose moderate compliance and administrative costs on KISEB and stakeholders, the long-term economic gains far outweigh these expenses, particularly through improved governance, reduced fraud, and strengthened institutional performance in both public and private sectors.

From an environmental perspective, the regulations indirectly contribute to sustainability by promoting professional competence among supply chain practitioners who influence environmentally sensitive procurement decisions. Better-qualified practitioners are more likely to adopt and enforce green procurement principles, integrate sustainability considerations into supply decisions, and ensure compliance with environmental standards. Although the regulations themselves do not impose direct environmental obligations, their long-term effect is positive, especially as procurement increasingly plays a strategic role in achieving national environmental goals.

Politically, the regulations support stronger governance and accountability within Kenya's public procurement landscape. By aligning with the Constitution,

the Supplies Practitioners Management Act, the Statutory Instruments Act, and Kenya Vision 2030 governance reforms, the regulations reinforce public confidence in regulatory institutions. They also help address policy gaps identified in court proceedings and oversight reviews, thereby reducing legal vulnerabilities and promoting policy stability. Politically, the regulations demonstrate the commitment of the Board and government agencies—including KLRC and the Office of the Attorney General—to uphold statutory compliance and strengthen regulatory oversight.

In terms of human rights, the regulations promote fairness, equity, and access to professional qualifications. They embed principles of non-discrimination, due process, and administrative justice in the examination process. By ensuring clear procedures for registration, assessment, appeals, and candidate support, the regulations safeguard the rights of learners and uphold the constitutional values of equality, human dignity, and fair administrative action. The regulations further support the realisation of socio-economic rights by expanding opportunities for professional development, employability, and participation in national economic growth.

CHAPTER 8

CONSIDERATION OF ALTERNATIVES TO THE SUPPLIES PRACTITIONERS' MANAGEMENT (EXAMINATION) REGULATIONS

8.1 Introduction

This Part examines whether the proposed regulation represents the most appropriate regulatory option. In accordance with the Statutory Instruments Act, the Regulation Making Authority (RMA) is required to undertake a comprehensive and evidence-based comparison of a range of regulatory and non-regulatory policy alternatives. This assessment must take into account key considerations such as the associated costs and benefits, distributional effects, administrative implications, and the anticipated impacts on both the public and private sectors. It must also evaluate the broader economic, social, business, human rights, and legal system consequences of each option. Guided by these requirements, the following regulatory and non-regulatory options were considered:

(a) Maintaining the Status Quo (Do Nothing)

Retaining the 2015 Rules will be deemed inadequate due to numerous regulatory gaps, and pronounced weaknesses highlighted by HCCHRPET E551/2021. This option would not address examination malpractice, inconsistent standards, or the lack of legal enforcement mechanisms. Not viable.

(b) Issuing Administrative Circulars and guidelines instead of Regulations

Administrative circulars lack legal enforceability and cannot impose penalties, ensure compliance, or provide structured guidance for examinations. This alternative may not meet the requirements of the Statutory Instruments Act or effectively operationalise the SPMA. In sufficient.

(c) Full Regulatory Overhaul (Preferred Option)

The proposed Regulations offer a comprehensive, legally enforceable, transparent, and future-oriented solution. They address all regulatory gaps, provide clear operational frameworks, and ensure alignment with national policy priorities and international standards. Most appropriate and recommended.

8.2 Impact analysis of the Options

The following analysis examines the anticipated impact of each option, considering operational, financial, and strategic dimensions to support an informed and balanced evaluation.

Table 3: Impact analysis

Impact on Sectors	Option One: Maintaining the Status Quo	Option Two: Self-Regulation	Option Three: Promulgating New Regulations
Public Sector	<ul style="list-style-type: none"> • Continued inconsistency in training and examination standards. • Limited oversight capacity leading to persistent compliance gaps. • Ongoing legal exposure due to a weak regulatory framework. 	<ul style="list-style-type: none"> • Reduced government oversight. • Risk of conflict of interest and weak enforcement. • Public institutions may experience an uneven quality of practitioners entering service. 	<ul style="list-style-type: none"> • Strengthened regulatory oversight and compliance mechanisms. • Enhanced accountability and alignment with national policy frameworks. • Reduced legal risks through clear, enforceable standards.
Private Sector	<ul style="list-style-type: none"> • Persistent variability in quality of graduates and practitioners. • Increased cost of retraining due to skill gaps. • Limited trust in certification credibility. 	<ul style="list-style-type: none"> • Potentially faster decision-making but weak assurance of practitioner quality. • Risk of fragmentation and inconsistency across firms. • Limited enforceability of standards. 	<ul style="list-style-type: none"> • Higher confidence in certified professionals. • Standardised competencies reduce training costs and improve productivity. • Creates a level playing field for employers.

<p>Training Institutions</p>	<ul style="list-style-type: none"> • Lack of uniform accreditation standards leads to differing quality of delivery and trainers. • Limited motivation to invest in quality improvements. 	<ul style="list-style-type: none"> • Institutions set their own standards, leading to potential disparities. • Risk of commercial interests overriding quality requirements. • No mechanism to enforce compliance. 	<ul style="list-style-type: none"> • Clear accreditation requirements enhance quality and consistency. • Strengthened monitoring and evaluation mechanisms. • Greater credibility in national and international education markets.
<p>Students / Trainees</p>	<ul style="list-style-type: none"> • Inconsistent training quality and examination standards. • Limited recognition of qualifications in global markets. • Exposure to malpractice risks. 	<ul style="list-style-type: none"> • Lack of guaranteed protection and standardised training experience. • Potential exploitation through poor-quality, profit-driven training. 	<ul style="list-style-type: none"> • Fair, credible, and transparent assessments. • Improved training quality, employability, and mobility. • Stronger protection from malpractice and exploitation.
<p>Professional Practitioners</p>	<ul style="list-style-type: none"> • Continued challenges with professional recognition. • Low barriers to entry dilute professional integrity. 	<ul style="list-style-type: none"> • Variable standards undermine professional identity and credibility. • Risk of unqualified persons entering the field. 	<ul style="list-style-type: none"> • Improved professionalism and ethical standards. • Enhanced recognition of qualifications locally and globally. • Clear disciplinary mechanisms strengthen integrity.

	<ul style="list-style-type: none"> • Limited career progression opportunities. 		
Economy and Society	<ul style="list-style-type: none"> • Skills mismatch continues to affect supply chain efficiency. • Reduced competitiveness of Kenya’s procurement sector. • Persistent governance weaknesses. 	<ul style="list-style-type: none"> • Market fragmentation and low quality of services persist. • Limited contribution to national development goals. 	<ul style="list-style-type: none"> • Strengthened contribution to Vision 2030, SDG 16 (strong institutions), and SDG 8 (decent work). • Higher efficiency and transparency in national supply chains. • Increased investor confidence due to professionalism.

8.3 Conclusion of Cost-Benefit Analysis

Based on the above analysis, it is clear that the third option (promulgating the Supplies Practitioners’ Management (Examination) regulation is the preferred option. The CBA demonstrates that the benefits of the Supplies Practitioners’ Management (Examination) Regulations, 2025, significantly outweigh the associated costs. The Regulations will strengthen professional competency, enhance examination integrity, promote efficient public procurement, and align Kenya’s workforce with national and global expectations. The financial and administrative costs are reasonable, manageable, and justified by the long-term social and economic gains.

CHAPTER 9

COMPLIANCE AND IMPLEMENTATION

9.1. Introduction

Effective implementation and sustained compliance are crucial for the success of the *Supplies Practitioners’ Management (Examination) Regulations, 2025*. These regulations seek to standardise professional examinations in procurement and supply chain management, strengthen quality assurance, enhance institutional accountability, and uphold national values of integrity, transparency, and professionalism. This chapter outlines the mechanisms, obligations, institutional responsibilities, enforcement structures, and practical recommendations necessary to ensure full compliance and seamless implementation across all stakeholders—including KISEB, training institutions, professional bodies, examination administrators, and trainees.

9.2. Compliance Requirements

9.2.1 Institutional Compliance

All training institutions offering the KISEB procurement and supply chain-related programmes will be required to align their internal systems with the standards prescribed under the Regulations. Such institutions must obtain and maintain accreditation from the Kenya Institute of Supplies Examination Board (KISEB). They must also meet minimum instruction hours, ensure that training staff meet qualification thresholds, and establish robust quality assurance systems. Institutions are further expected to maintain verifiable records of examination administration, industry-based learning activities, learner performance, and any incidents of malpractice. These records remain subject to audit and inspection by KISEB, ensuring transparency and uniformity in the delivery of training programmes.

9.2.2 Candidate Compliance

Candidates undertaking KISEB examinations also shoulder a significant compliance burden. They must adhere to all examination timelines, respect codes of conduct, present authentic identification, and strictly avoid malpractice. Their responsibilities extend to complying with all instructions issued by KISEB or its agents before, during, and after examinations. Any candidate who fails to

observe these rules may face penalties such as cancellation of results, suspension, de-registration, or prohibition from future examinations.

9.2.3 Examiner and Invigilator Compliance

Examiners, moderators, invigilators, and other assessment personnel play a critical role in ensuring the credibility of examinations. They are required to report suspected malpractice and act objectively in the performance of their duties. Non-compliance may lead to removal from the examiner registry, administrative sanctions, or legal action where breaches constitute criminal offences.

9.3. Implementation Framework

The implementation of the Regulations will be coordinated primarily by KISEB, which serves as the lead implementation agency. KISEB is tasked with developing examination syllabi, setting and administering examinations, managing the accreditation of institutions, maintaining a database of examiners, and enforcing compliance mechanisms. It works closely with institutions such as the Kenya Law Reform Commission (KLRC) to ensure legal soundness; the Office of the Attorney General for legislative guidance; the Ministry of Education to maintain alignment with national qualification frameworks; and the National Treasury and Public Service Commission (PSC) to link certification requirements with professional recruitment in the public service. Other partners, including KASNEB, may provide technical support where necessary, particularly in matters of examination administration.

To uphold integrity, KISEB will deploy a diverse array of monitoring tools. These include regular and ad hoc audits of institutions, inspections of examination centres, annual compliance reports, and institutional scorecards. Digital platforms will also be used to verify candidate identities and track examination records, strengthening the integrity of the certification process. In addition, feedback systems and whistleblowing channels will create opportunities for stakeholders to report irregularities or areas of concern.

Enforcement mechanisms will range from the issuance of compliance notices to suspension or revocation of institutional accreditation, annulment of examination results, disciplinary action against exam personnel, and administrative sanctions where appropriate. Legal prosecution may be pursued where misconduct violates criminal law. A structured appeals mechanism will ensure fairness by allowing institutions, candidates, or assessment personnel to contest decisions made by KISEB. Appeals will be channelled through KISEB's

internal appeals structures, oversight mechanisms, and ultimately the judiciary, in accordance with the Fair Administrative Action Act.

Implementation will follow a phased approach to allow stakeholders adequate time to transition. The initial phase, covering the first six months, will focus on sensitisation, development of operational guidelines, training of assessors, and preliminary audits. The second phase, extending to one year, will prioritise enforcement of accreditation requirements, rollout of revised examinations, and monitoring of pilot institutions. Full compliance enforcement and nationwide rollout will occur in the third phase, stretching to 24 months. Beyond two years, focus will shift to evaluation, continuous improvement, and early review of the regulatory framework as required by emerging developments.

Risks such as institutional resistance, financial limitations, inadequate examiner capacity, and potential litigation are acknowledged. These risks can be mitigated through early stakeholder engagement, training programmes, clear implementation timelines, robust legal awareness, and sufficient budget allocation.

To enhance compliance and ensure the smooth implementation of the Regulations, several recommendations are proposed. First, KISEB should be strengthened through adequate financial, human, and technological resourcing. Second, comprehensive operational guidelines should accompany the Regulations, detailing accreditation standards, examination administration procedures, industry-based learning requirements, and reporting obligations. Third, stakeholder awareness should be enhanced through sensitisation campaigns, workshops, and continuous professional development programmes.

Digitisation of examination administration and accreditation processes remains a key recommendation, as it reduces the risk of malpractice and enhances efficiency. Integrity safeguards—including biometric verification, examiner vetting, surveillance technologies, and whistleblower protection—should form a core part of the implementation strategy. Additionally, inter-agency coordination should be formalised to avoid duplication and ensure the harmonisation of standards across the training and professional landscape. Finally, regular periodic reviews should be undertaken in line with the Statutory Instruments Act, which mandates review every ten years, or earlier where policy, technological, or sectoral changes make revision necessary

9.4 Implementation Timeline

A phased implementation plan is recommended to allow stakeholders adequate transition time:

Table 4: Implementation timeline

Phase	Timeline	Key Activities
Phase 1	0–6 months	Sensitisation, development of guidelines, training of assessors, and institutional audits.
Phase 2	6–12 months	Enforcement of accreditation rules, rollout of revised examinations, and monitoring of pilot institutions.
Phase 3	12–24 months	Full compliance enforcement, national rollout, and publication of compliance scorecards.
Phase 4	24 months onwards	Evaluation, continuous improvement, regulatory review mechanisms activated.

9.5. Monitoring and Enforcement

9.5.1 Compliance Monitoring Tools

KISEB will use multiple monitoring tools, including:

- (a) regular and ad hoc audits of training institutions,
- (b) inspection of examination centres,
- (c) annual reporting systems,
- (d) compliance scorecards for training institutions,
- (e) digital verification platforms for candidate records, and
- (f) feedback and whistleblowing mechanisms.

9.5.2 Enforcement Measures

Enforcement actions shall include:

- (a) issuance of compliance notices,
- (b) suspension or revocation of institutional accreditation,
- (c) annulment of examinations or results,
- (d) disciplinary action against exam personnel,
- (e) administrative penalties and sanctions, and
- (f) legal prosecution where criminal offences occur.

9.5.3 Appeals and Review

A structured appeals mechanism will be established to allow institutions, candidates, or exam personnel to contest administrative or disciplinary decisions. Appeals will be handled through:

- (a) KISEB Ad Hoc Appeals Committee,
- (b) Review mechanisms,
- (c) Judicial review as permitted by law, in accordance with the Fair Administrative Action Act.

9.6 Risk Management During Implementation

Key risks include institutional resistance, financial constraints, insufficient assessor capacity, and possible litigation. Mitigation strategies include:

- (a) stakeholder engagement and capacity-building,
- (b) clear and phased timelines,
- (c) legal awareness programmes,
- (d) adequate budget allocation, and
- (e) early identification and engagement of potential litigants.

9.7 Recommendations

Based on the comprehensive evidence analysed, the RIA recommends the adoption and gazettment of the Supplies Practitioners Management (Examination) Regulations, 2026.