



## Information Communication Technology Association of Kenya

IMPROVING LIVES THROUGH ICT

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### **STATEMENT ON THE INFORMATION COMMUNICATION TECHNOLOGY (ICT) PRACTITIONERS BILL 2016**

ICT has been identified as a key enabler of development. As dependence on ICT continues to rise, it is necessary to ensure that the rate at which technology evolves does not outstrip existing policy and legal frameworks. There is currently no legal framework for the conduct of ICT affairs in Kenya. The ICT Practitioners Bill responds to the various practical and institutional gaps that have been occasioned by the dynamics of technological revolution.

First, the Bill provides a comprehensive framework for the training, registration and standards of ICT in Kenya. Once enacted, the various provisions enlisted will go a long way not only to elevate the standards of ICT practice in Kenya but to also avail a blueprint that will help counter multiple challenges that accompany emergent technologies.

By creating a registration framework, the Bill injects professionalism and introduces a culture of accountability within the industry as the country gears towards an ICT driven economy. The Bill will bring order into the ICT sector and create an organized profession along the ranks of other professions like law, media, and accountancy among others that enjoy statutory recognition.

With the stipulation of standards of professional competence, ICT Practitioners will be appropriately recognized and remunerated. To safeguard young innovators from exploitation, the Bill provides for the setting up of criteria for determining the fees to be charged for professional services.

Due to existing legal loopholes, unscrupulous service providers have a legendary culture of offering substandard services and supplying faulty devices like in the case of IEBC kits among other failed systems. Sadly, clients and consumers of ICT services have no recourse in the event of negligent or substandard service from ICT practitioners. This situation has been addressed.

In what will reduce the scale of litigation in the ICT sector, the Bill provides for arbitration of ICT related disputes. By providing for disciplinary measures in

cases of violations of professional conduct and requiring practitioners to subscribe to a code of conduct service delivery in the industry will be boosted.

Parliament has so far invited members of the public to give views on the Bill. The ICT Association of Kenya (ICTAK) has received feedback from the ICT fraternity and the wider public on sections of the bill that require review and forwarded the same to Parliament for consideration. Some of the issues that have been strongly cited relate to stringent licensing conditions and qualifications for registration. The sponsor of the bill has categorically assured that all the controversial provisions will be addressed to ensure that no restrictions arise and that the final output advances the fortunes of ICT sector.

The global mood across professions and industries is towards organized professions and industries. Even the notoriously chaotic matatu sector has now adjusted to some standards and code of practice. Our ICT sector has no excuse be left behind. Kenya is always at the cutting edge in matters technology. This ICT Practitioners Bill goes a mile further to set pace for excellence in professional standards. Accordingly, ICTAK supports the speedy enactment of the Bill once the few contentious issues are resolved.

Kamotho Njenga

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