

NCA REGULATIONS & COMPLIANCE

MAIN POINTS OF THIS PRESENTATION



Who is NCA?

Establishment: The NCA is a Government entity established by NCA Act No.41 of 2011 (CAP.449A) laws of Kenya.

Mandate: NCA is charged with the responsibility to **oversee** the construction industry and **coordinate** its development so as to ensure an effective and sustainable **construction Industry**

Why NCA?

- The National Construction Authority's mandate is geared towards **streamlining, overhauling and regulating** the construction industry that has for many years been fragmented and suffered poor legislative framework, dominated by unqualified persons

ROLE OF NCA



NATIONAL CONSTRUCTION
AUTHORITY

REGISTRATION

- ❖ NCA Regulations 2014
- ❖ Register of Contractors(Local & Foreign)
- ❖ Accredited Skilled Workers & Site Supervisors
- ❖ Maintain Information Database

COMPLIANCE & MONITORING

- ❖ Register Projects
- ❖ Q . A Activities
- ❖ Code of Conduct
- ❖ Health & Safety
- ❖ Construction Levy
- ❖ Best practices and standards

R T & CB

- ❖ Research, Consultancy & Advisory
- ❖ CPD Seminars
- ❖ Artisan Skills Trainings
- ❖ Occupational Standards & CBET

Quality & High
Performance
Construction
Industry



CLASSES OF WORKS IN THE CONSTRUCTION INDUSTRY

- ▶ The NCA Act schedule III outlines **FOUR classes of works:**
 - Building works
 - Civil Engineering
 - Electrical Engineering Services
 - Mechanical Engineering Services

NCA REGISTRATION CATEGORIES

Category	Technical Director Qualifications
NCA 1	At least 1 Director with a minimum of Bachelors Degree in construction related field.
NCA 2	At least 1 Director with a minimum of Bachelors Degree in construction related field
NCA 3	At least 1 Director with a minimum of Higher Diploma in construction related field.
NCA 4	At least 1 Director with a minimum of Higher Diploma in construction related field.
NCA 5	Diploma.
NCA 6	Certificate.
NCA 7	Trade test.
NCA 8	Trade test.

CATEGORIES OF REGISTRATION ACCORDING TO CAPABILITY

1 Contractors (Buildings)

Category Value Limit (Kshs)

NCA1	Unlimited
NCA2	Upto 500,000,000.00
NCA3	Upto 300,000,000.00
NCA4	Upto 200,000,000.00
NCA5	Upto 100,000,000.00
NCA6	Upto 50,000,000.00
NCA7	Upto 20,000,000.00
NCA8	Upto 10,000,000.00

2 Roads and other Civil Works

Category Value Limit (Kshs)

NCA1	Unlimited
NCA2	Upto 750,000,000.00
NCA3	Upto 500,000,000.00
NCA4	Upto 300,000,000.00
NCA5	Upto 200,000,000.00
NCA6	Upto 100,000,000.00
NCA7	Upto 50,000,000.00
NCA8	Upto 20,000,000.00

3 Specialist Contractors

Category Value Limit (Kshs)

NCA1	Unlimited
NCA2	Upto 250,000,000.00
NCA3	Upto 150,000,000.00
NCA4	Upto 100,000,000.00
NCA5	Upto 50,000,000.00
NCA6	Upto 20,000,000.00
NCA7	Upto 10,000,000.00
NCA8	Upto 5,000,000.00



TRADES IN THE CONSTRUCTION INDUSTRY

- ▶ NCA Recognized Trades for Skilled Construction Workers = **59 TRADES**
 - 14: Building Works
 - 11: Civil/Roads Works
 - 18: Mechanical Works
 - 17: Electrical Works

NCA 'X' SIGN AND ITS MEANING



NCA 'X' SIGN AND ITS MEANING

In exercise of the powers granted under Section 23(2) of the NCA Act, an investigation officer may suspend a site for non compliance with the NCA Act & Regulations due to lack of the following;

1. NCA registered contractor on site
2. Sign board showing all approvals and the professionals engaged in the project.
3. Safety signs on site;
4. Personal protective equipment on site
5. Sufficient hoarding and fencing
6. NCA Compliance Certificate
7. NCA Accredited Construction Workers and Site Supervisors

The enforcement of suspension orders for non compliant construction sites is an industry effort as the Authority works with County Governments, Police, Directorate of Safety and Health(DOSH) and the National Environment Management Authority(NEMA)

ACCREDITATION FUNCTION

As provided under Section 5(2)(l) of the Authority's Act and Regulation 19-24, the Authority accredits and certifies all construction workers and site supervisors.

A person is accredited if he or she;

- a) Possesses qualifications set by the Authority for the class of contract works;
- b) Possesses other qualification deemed equivalent to (a) and practical experience to the satisfaction of the Board;
- c) Satisfied the Authority that he/she possesses such practical experience to render him competent to be accredited as a construction worker;
- d) Has successfully undergone such skills assessment as the Authority may conduct for this purpose.

Accreditation Fees every 3 Years :

Site Supervisors = Kshs. 2,000

Construction Workers = Kshs. 1,000

ACCREDITATION ELIGIBILITY

SITE SUPERVISOR

To be accredited as a site supervisor, a construction worker must:

- ✓ Be a skilled worker with technical qualifications in the class of works for which they are seeking accreditation.
- ✓ Have Practical experience in the same area

SKILLED CONSTRUCTION WORKER

To be accredited as a skilled construction worker, one must have:

- ✓ **Technical qualifications** in a specific trade area they are seeking accreditation.
 - ❖ Recognized Technical Training Certification.
 - ❖ Competency Assessment Certification.
- ✓ Documented evidence of **practical experience** in the specific trade area

ACCREDITATION ELIGIBILITY for those with no Formal Technical Training

PROVISIONAL ACCREDITATION

✓ Construction Worker with Experience of 2 years and no technical training.

✓ Letter of Reference duly filled as per standard template
Validity.

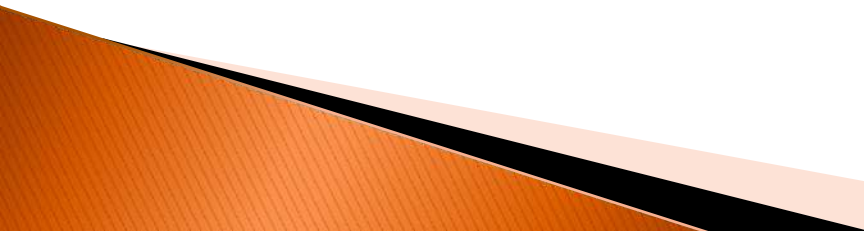
- Expires after 3 years
- Non-renewable

APPRENTICESHIP

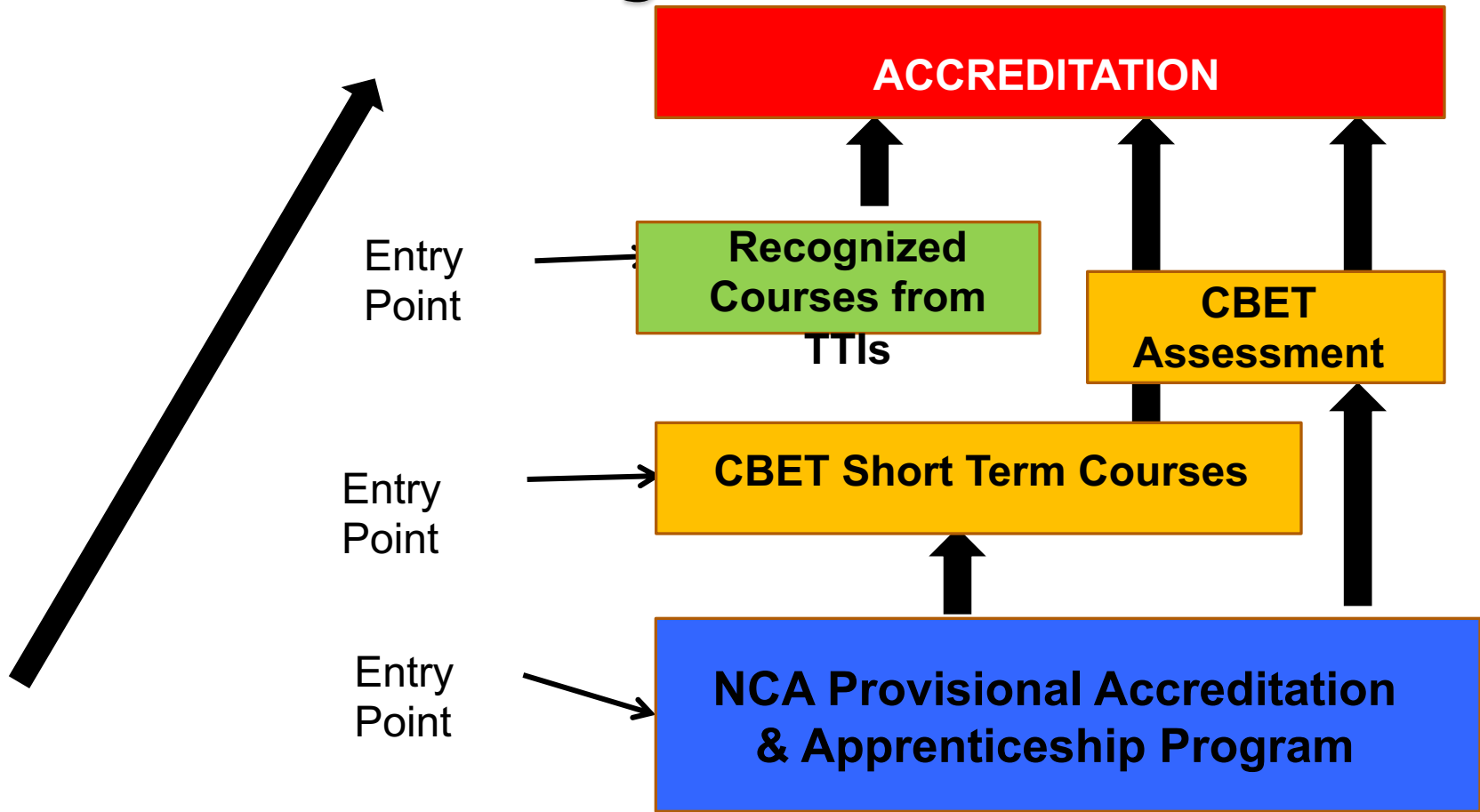
This is the structured approach adopted for those working and don't have technical training, but:

- Are learning the skills on-the-job.
- Wish to pursue a career in construction.
- **Less than 2 Years experience**
- ❖ Apprenticeship is both time-based & competency-based.
- ❖ NCA recognizes the importance of the Recognition of Prior Learning (RPL) under the National TVET Reforms.

APPRENTICESHIP PROCESS

- ✓ Apprenticeships can last **One Year** or a minimum of continuous 24 hours per week/ **288 hours for 3 months**
 - ✓ Documented evidence through dully filled **Log-book**: time-based & competency-based.
 - ✓ **Competency Assessment.**
 - ✓ **Accreditation** as per appropriate level based on the competency assessment certification.
 - ❖ Prior experience with documented evidence will also be considered for accreditation.
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Career Progression



Role of Contractors in Accreditation

- ❖ As advocates of accreditation as the need for competent workers affects them directly.
- ❖ Measure of **compliance and good standing**– NCA X
- ❖ Embrace the **culture of continuous learning** esp given the dynamic and evolving nature of the construction industry.
- ❖ **Investing** in training of their workers. NITA training levy as an incentive.
- ❖ Engage more in **joint ventures** where they ensure there is technical skills transfer.
- ❖ Adhere to the **Code of Conduct: Act Professionally.**
- ❖ Contractors earn **NCA CPD Points** if they engage apprentices and train workers. Annual Renewal of Contractors Practicing License and upgrading pegged on **10 CPD points** annually.
- ❖ Pay for your Workers.

