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**NUTRITIONISTS AND DIETICIANS ACT**

NO. 18 OF 2007

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**NUTRITIONISTS AND DIETICIANS ACT**

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**NO. 18 OF 2007**

**NUTRITIONISTS AND DIETICIANS ACT**

[Date of assent: 22nd October, 2007.]

[Date of commencement: 21st October, 2008.]

**An Act of Parliament to provide for the training, registration and licensing of nutritionists and dieticians; to provide for the regulation of the standards, and practice of the profession; to ensure their effective participation in matters relating to nutrition and dietetics, and for connected purposes**

[Act No. 18 of 2007, L.N. 130/2008.]

**PART I – PRELIMINARY**

**1. Short title**

This Act may be cited as the Nutritionists and Dieticians Act, 2007.

**2. Interpretation**

In this Act, unless the context otherwise requires—

“**approved**” means passed as sufficient and adequate by the Council or other body legally empowered to declare persons and processes fit and proper;

“**Council**” means the Council of the Institute of Nutritionists and Dieticians established under section 6 of this Act;

“**consultant nutritionist**” means a nutritionist who works under a specific contract of service in a health facility or in private practice;

“**consultant dietician**” means a dietician who works under a specific contract of service in a health facility or in private practice;

“**Council**” means the Council of the Institute set up under section 5;

“**dietician**” means a person who is registered as a dietician under this Act;

“**health institution**” means a hospital, clinic, nursing home, or any other lawful place that offers healthcare services, whether private or public;

“**Institute**” means the Kenya Nutritionists and Dieticians Institute established under section 4;

“**Kenya Coalition for Action in Nutrition**” means the association of that name registered under the Societies Act;

“**Kenya Medical Association**” means the association of that name registered under the Societies Act (Cap. 108);

“**medical personnel**” includes a medical practitioner registered under the Medical Practitioners and Dentists Act (Cap. 253) and a nurse within the meaning of the Nurses Act (Cap. 257);

“**Minister**” means the Minister responsible for Health;

“**nutritionist**” means a person who is registered as a nutritionist under this Act.

“**Nutrition Association of Kenya**” means the association of that name registered under the Societies Act (Cap. 108);

### **3. Restriction on use of title**

Subject to the provisions of this Act, no person shall practise under any name, title or style containing the words or phrases “Nutrition”, “Nutritionist”, or “Dietician”, unless that person is registered under this Act as a nutritionist or dietician, as the case may be.

## **PART II – ADMINISTRATIVE PROVISIONS**

### **4. Establishment of the Institute**

(1) There is hereby established an Institute to be known as the Kenya Nutritionists and Dieticians Institute.

(2) The Institute shall be a body corporate with perpetual succession and a common seal, and capable in its corporate name of—

- (a) suing and being sued;
- (b) acquiring, holding and disposing of property; and
- (c) doing all such things as may be done by a body corporate.

(3) The Institute shall be governed by a Council.

(4) Each person who is registered by the registration committee of the Council under section 17(1) shall automatically become a member of the Institute and subject to the disciplinary procedures of the Institute.

(5) Members of the Institute shall pay such fees and subscriptions as the Council may determine.

### **5. Establishment and composition of the Council of the Institute**

(1) The Council of the Institute is hereby established.

(2) The Council shall consist of—

- (a) a Chairperson elected in terms of the First Schedule, who shall be a qualified nutritionist or dietician with at least 5 years of professional experience; and
- (b) four other nutritionists or dieticians, at least two of whom shall be women, elected in the manner set out in the First Schedule;
- (c) the Director of Medical Services, or his representative nominated by him/her in writing;
- (d) the Director of Nutrition and Dietetic Services in the Ministry of Health;
- (e) the Chief Nutritionist in the Kenyatta National Hospital;
- (f) one representative of the Kenya Medical Association, elected by the Association;
- (g) four representatives appointed from four registered associations of nutritionists and dieticians;
- (h) one representative of the Federation of Kenya Consumer Organisations, elected by the Federation;
- (i) one representative of faculties of nutrition and dietetics of public universities, elected at a meeting of the faculties convened by the Kenya Coalition for Action in Nutrition;

- (j) one representative of faculties of nutrition and dietetics of private universities, elected at a meeting of the faculties convened by the Kenya Coalition for Action in Nutrition; and
- (k) two representatives from faculties of Nutrition and Dietetics from private and public diploma colleges.

(3) The chairperson and every member elected under subsection (2) shall hold office for a term of 3 years and shall be eligible for re-appointment for a further term of three years.

(4) All appointments under this section shall be notified in the *Gazette*.

## **6. Functions of the Institute**

The functions of the Council shall be to—

- (a) determine and set a framework for the professional practice of nutritionists and dieticians;
- (b) set and enforce standards of professional practice and ethics on nutrition and dietetics;
- (c) enforce a programme of quality assurance for the nutrition and dietetic profession;
- (d) approve institutions as institutions for the purpose of training persons seeking registration under this Act;
- (e) research into and provide public education on nutrition and dietetics;
- (f) maintain the competence of members by updating their knowledge through publications and the conduct of continuing professional education;
- (g) provide training for nutritionists and dieticians;
- (h) design programmes and methods for sensitization on suitable dietary and nutritional habits; and
- (i) perform such other functions as may be necessary for the proper administration of this Act.

## **7. Delegation of powers of the Institute**

Subject to this Act, the Institute may either generally or in a particular case, delegate to any committee of the Council or to any member, officer, employee or agent of the Institute, the exercise of any of the powers of the Institute under this Act.

## **8. Remuneration of Council members**

The Institute shall pay to its Council members such remuneration, fees or allowances for expenses as it may determine with the approval of the Minister.

## **9. The Chief Executive Officer**

(1) There shall be a Chief Executive Officer of the Institute who shall be appointed by the Council and whose terms and conditions of service shall be determined by the Council in the instrument of appointment.

(2) The Chief Executive Officer shall hold office for a period of five years, renewable once.

(3) The Chief Executive Officer shall, subject to the direction of the Council, be responsible for the management of the affairs of the Institute and shall be the secretary to the Council.

#### **10. Staff of the institute**

The Institute shall appoint such officers and other staff as are necessary for the proper discharge of its functions under this Act, upon such terms and conditions as the Council may determine.

#### **11. Protection from personal liability**

No action of a member of the Council or by any officer, employee or agent of the Institute shall, if the action is done *bona fide* for executing the functions, powers or duties of the Institute, render the member, officer, employee or agent personally liable to any action, claim or demand.

### **PART III – EXAMINATION, REGISTRATION, LICENSING AND DISCIPLINE**

#### **12. The establishment of the Accreditation Board**

(1) There is hereby established a Board known as the Kenya Nutrition and Dieticians Accreditation Board.

(2) The Board shall consist of—

- (a) a Chairperson appointed by the Minister, who shall be a qualified nutritionist or dietician;
- (b) five persons who shall be qualified nutritionists or dieticians, nominated by the Council, two of whom shall be from institutions of higher learning, and appointed by the Commission for Higher Education;
- (c) two persons nominated by the Minister responsible for Education, one of whom shall be from the Kenya Institute of Education, and the other from the Kenya National Examination Council;
- (d) two persons nominated by the Commission for Higher Education; and
- (e) two persons nominated by the Minister responsible for Health.

(3) In nominating the persons under subsection (2)(b), the Council shall have regard to gender parity.

#### **13. Functions of the Accreditation Board**

The Accreditation Board shall generally have regard to the conduct of examinations and in particular shall—

- (a) prepare syllabuses of instruction and training courses for persons seeking registration under the Act;
- (b) prepare and conduct examinations for persons seeking registration under the Act;
- (c) charge the appropriate examination fees in consultation with the Council of the Institute;
- (d) 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
- (e) report its decisions to the Council.



**14. Secretary**

(1) There shall be a Secretary who shall be an officer of Accreditation Board.

(2) The Secretary shall be responsible for the day to day affairs of the Accreditation Board and shall exercise and perform any such functions as the Board may from time to time determine.

**15. Registration Committee**

(1) There is hereby established the Registration Committee, which shall be a committee of the Council.

(2) The Registration Committee shall consist of—

- (a) a Registrar appointed by the Institute who shall be an *ex officio* member;
- (b) five persons who shall be qualified nutritionists or dieticians, two of whom shall be representatives of local universities, appointed by the Council;
- (c) the Chairperson of the Accreditation Board; and
- (d) the Attorney-General or his representative nominated by him in writing;
- (e) the Chairperson of the disciplinary committee.

(3) The registration committee shall generally carry out the function of registering persons qualified to be registered under this Act.

**16. Persons entitled to be registered**

A person shall be entitled to registration if he satisfies the Council that he is of good conduct and has paid the registration fee and—

- (a) has attained the age of 18 years;
- (b) has successfully undergone a certificate, diploma or degree course of instruction and has passed the appropriate examinations conducted or prescribed by the Institute; or
- (c) has passed the accreditation examination set by the Accreditation Board of the Council of the Institute.

**17. Registration of nutritionists and dieticians**

(1) A person eligible to be registered as a nutritionist or dietician shall apply in the prescribed form to the Registrar, and the application shall be accompanied by the prescribed fee.

(2) Where a person has complied with the provisions of section 16 and has been accepted by the Council as being eligible for registration, such person shall be registered.

**18. Certificate of registration**

The Institute shall issue to every person registered under this Act, a certificate in the prescribed form.

**19. Deregistration**

(1) The Council may at any time direct that the name of a person be removed from the register where such person—

- (a) fails within a period of six months from the date of an inquiry sent by the Registrar by registered post to the address appearing in the

register against such person's name, to notify the registrar of his current address;

- (b) requests that his name be removed from the register, in which case such person may be required to satisfy the Council by an affidavit lodged with the Registrar that no criminal proceedings under this Act have been instituted or are likely to be instituted against him; or
- (c) is found by the Council to be guilty of professional misconduct in accordance with this Act.

(2) The Registrar shall remove from the register any entry which has been incorrectly or fraudulently made.

(3) Subject to the provisions of this Act, the removal of a person's name from the register shall be notified by the Registrar to the person by registered mail addressed to the address appearing in the register against his name immediately before such removal.

(4) Where the name of any person has been removed from the register under this Act, such name shall not be reinstated except by direction of the Council.

(5) The Registrar shall from time to time update the register, removing from it the names of any deceased members and degazetting them.

## **20. Restoration of name**

Where the name of any person has been removed from the register the Council may, either of its own motion or on the application of the person concerned made in the prescribed manner, and in either case after holding such inquiry as the Council thinks fit, direct—

- (a) that the removal of such person's name from the register be confirmed; or
- (b) that the name of the person be restored in the register.

## **21. Appeal against order of the Council**

(1) Any person aggrieved by a decision of the Council may appeal to the High Court.

(2) The Council may appear as respondent and be heard at any application against its decision.

## **22. Licensing**

(1) No person shall engage in private practice unless he has been issued with a valid licence to practice.

(2) The Institute may issue to a nutritionist or dietician who has applied in the prescribed form, a licence to practice on his or her own behalf or to be employed by a registered nutritionist or dietician.

(3) The Institute shall grant a licence to a nutritionist or dietician on payment of the prescribed fee, and shall state whether the licensee may practice on his own behalf or on employment.

## **23. Qualification for practice on own behalf**

(1) Notwithstanding, that a nutritionist or dietician has been issued with a licence under this Act, he shall not engage in practice on his own behalf, either full time or part-time, unless he has practised in Kenya continuously on a full-time basis for a period of not less than two years after being registered—

- (a) in a salaried post, either as an employee in the Government of Kenya as a nutritionist or dietician; or
- (b) in an organisation approved by the Institute; or
- (c) as an employee of a nutritionist or dietician who has been engaged in a continuous full-time private practice on his own behalf in Kenya for a period of not less than five years.

(2) The person employing a nutritionist or dietician under this section shall in the prescribed form notify the Institute of the commencement and termination of employment of such person.

#### **24. Validity of licence**

(1) After the expiry of twelve months from the commencement of this Act, no person shall engage in the practice of nutrition and dietetics practice unless he has been duly issued with a registration certificate and a practicing license by the Institute in accordance with this Act.

(2) A licence granted under this Act shall be valid for one year.

(3) On expiry, a license may be renewed for such further period, not exceeding one year.

(4) Where a licence expires and is not renewed for a period of one year, the name of the holder of the licence shall be removed from the appropriate record.

#### *Discipline*

#### **25. Establishment of the Disciplinary Committee**

(1) There is hereby established a committee to be known as the Disciplinary Committee.

(2) The Committee shall consist of—

- (a) a Chairperson appointed by the Council as per the First Schedule who shall be a qualified nutritionist or dietician with at least ten years' experience;
- (b) an advocate of the High Court with at least seven years' experience appointed by the Council;
- (c) the Chairperson of the Registration Committee;
- (d) two members who shall be qualified nutritionists or dieticians with at least five years' experience elected by the Council; and
- (e) the Chairperson of the Accreditation Board.

(3) The chief executive officer of the Institute shall be the Secretary of the Disciplinary Committee but shall not have voting power.

(4) The Disciplinary Committee shall receive and investigate complaints against nutritionists and dieticians in accordance with the rules and regulations under this Act.

(5) Subject to this Act the Disciplinary Committee shall regulate its own procedures.

#### **26. Disciplinary powers of the Committee**

(1) The Disciplinary Committee may order the removal from the register, suspension of registration or revocation of the practicing license of a practitioner or the imposition of a fine on a practitioner as may be prescribed by the Council if that practitioner—

- (a) has been convicted of an offence punishable by imprisonment, the commission of which in the opinion of the Institute has dishonoured him in the public estimation;
- (b) has been guilty of negligence or malpractice in respect of his profession; or
- (c) has been guilty of impropriety or misconduct, whether in respect of his profession or not.

(2) Upon an inquiry held by the committee, the person whose conduct is being inquired into shall be afforded an opportunity of being heard either in person or through an advocate.

(3) For the purposes of proceedings at any inquiry held by the disciplinary committee, the committee may administer oaths, and may subject to any regulation made under this Act, enforce attendance of persons as witnesses and the production of books and documents.

(4) Any person whose name has been removed from the register or whose licence has been suspended shall forthwith surrender to the Institute his certificate of registration or licence, and any person who fails to do so commits an offence.

(5) Any person aggrieved by the decision of the committee within 14 days from the date of the decision, appeal to the High Court.

#### PART IV – FINANCIAL PROVISIONS

##### **27. Funds of the Institute**

The funds of the Institute shall comprise—

- (a) such moneys as may accrue to or vest in the Institute in the course of the exercise of its powers or performance of its functions under this Act;
- (b) all moneys from any other source provided for, donated or lent to the Institute; and
- (c) such proportion of the fees charged by the Accreditation Board under section 13(c) as the Council may determine.

##### **28. Investment**

The Institute may—

- (a) invest any of its surplus funds in Government securities; or
- (b) place on deposit with any bank quoted on an approved securities exchange in Kenya any monies not immediately required for its purposes.

##### **29. Financial year of the Institute**

The financial year of the Institute shall be the period of twelve months ending on the thirtieth of June in each year.

##### **30. Estimates of revenue and expenditure**

Before the commencement of each financial year, the Institute shall cause to be prepared estimates of revenue and expenditure of the Institute for the financial year concerned and in particular, shall provide for—

- (a) the payment of salaries, allowances and other changes in respect of the staff of the Institute;

- (b) the payment of pensions, gratuity, and other changes in respect of retirement benefits which are paid out of the funds of the Institute; and
- (c) the acquisition, maintenance, repair, and replacement of the equipment and other movable properties of the Institute.

**31. Approval of annual estimates**

(1) The annual estimates shall be approved by the Institute before the commencement of the financial year to which they relate:

Provided that the amounts in estimates shall not be increased before the prior consent of the Institute.

(2) The Institute shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the Institute.

(3) Within a period of four months from the end of the financial year, the Council shall submit to the members of the Institute at an Annual General Meeting or Special General meeting convened for that purpose the audited accounts of the Institute together with—

- (a) a statement of the income and expenditure of the Institute on the last day of that year; and
- (b) a statement of the assets and liabilities of the Institute on the last day of that year.

**PART V – MISCELLANEOUS PROVISIONS****32. Offences by persons not eligible to be registered or licensed**

(1) Any person who, not being eligible to be registered persons or licensed under this Act, uses any title appropriate to a person so registered or licensed, or holds himself out directly or indirectly as being so registered or licensed, commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

(2) Any person who, not being eligible to be registered or licensed under the Act, practices for gain as a nutritionist or dietician, commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

**33. Offences by person eligible to be registered or licensed**

Any person who, though eligible to be registered or licensed under this Act, is not so registered or licensed but practices as a nutritionist or dietician commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

**34. Offences by persons conducting training courses or examinations without authority**

Any person, being in-charge of a training institution which is not approved by the Institute as an institution for the training of persons seeking registration under this Act, who—

- (a) admits to the Institution under his charge any person for the purpose of training in nutrition and dietetics;
- (b) purports to be conducting courses of training or examination under this Act or regulations made thereunder;

- (c) issues any document, statement, certificate or seal implying that the holder thereof has undergone a course of instruction or has passed an examination prescribed by the Institute; and
- (d) issues any document, statement or seal implying that the Institution under his charge is approved by the Institute as an institution for training of persons seeking registration under this Act, commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding three years, or to both.

**35. Examination offences**

Any person who—

- (a) gains access to examination materials and knowingly reveals the contents, whether orally, in writing or through any other form, to an unauthorised party, whether a candidate or not;
- (b) wilfully and maliciously damages examination materials; or
- (c) not being registered to take a particular Board examination, but with intent to impersonate, presents or attempts to present himself to take the part of an enrolled candidate;
- (d) presents a forged certificate to a prospective employer or to an institution of learning with intent to gain employment or admission; whether being a candidate or not;
- (e) introduces unauthorised materials in the examinations room whether in writing or in any other form,

commits an offence and shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding one hundred thousand shillings or to both such imprisonment and fine.

**36. Employment of unregistered staff**

(1) Any person who employs another person as a nutritionist or dietician while that other person is not registered or licensed under this Act, commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding three years, or to both.

(2) Any person who markets food and nutrition supplements without analysis, certification and registration by the Council commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding two years, or both.

**37. Falsification of registers or records**

Any person who wilfully makes or causes to be made any false entry in, or falsification of, any register or record kept under this Act, or who presents or attempts to present himself or any other person to be registered or licensed under this Act by making or producing or causing to be made or produced a false or fraudulent representation or declaration, either orally or in writing, commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

**38. Regulations**

The Institute may, with the approval of the Minister, make regulations generally for the better carrying out of the provisions of this Act, and without prejudice to the generality of the foregoing, may make regulations for—

- (a) the form and method of keeping the registers and records under this Act;
- (b) the conditions of admission to the registers and of the issue of licences;
- (c) the manner in which the training of the persons for whom provision is made in this Act is regulated;
- (d) the subject matter of training courses and examinations to be conducted by the Institute;
- (e) the conditions for admission for entry into training courses and examinations to be conducted by the Institute;
- (f) the standards and conditions of professional practice of persons registered or licensed under this Act; and
- (g) the fees payable in respect of examinations registration, issue of licenses, and in respect of other matters under this Act.

**39. Transitional provisions**

The transitional provisions set out in the Second Schedule shall apply upon the commencement of this Act.

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**FIRST SCHEDULE**

[Section 5(2).]

**THE INSTITUTE**

1. (1) The Institute shall convene an annual general meeting which shall be held not later than six months after the end of each financial year.

(2) The first meeting of the Institute shall be conducted as per the transitional provisions contained in the Second Schedule.

(3) At each annual general meeting there shall be elected—

- (a) a Chairperson, who shall be a qualified nutritionist or dietician with at least five years' of professional service; and
- (b) eleven provincial representatives, who shall be nutritionists or dieticians, who shall constitute the national officials of the Institute.

(4) The national officials shall elect from among their number a vice-chairperson, treasurer and secretary of the institute.

(5) Unless he earlier vacates the office, a person elected to the office of Chairperson shall hold the office until another Chairperson is elected.

(6) A person who holds the office of Chairperson is eligible for re-election for one more term of three years.

(7) A person who holds the office of Chairperson may resign the office in to the Council.

2. (1) On the advice of the Council, the members of the Institute may appoint a person to act as chairperson during a special general meeting convened for this purpose—

- (a) during a vacancy in the office of Chairperson; or
- (b) during any period when the Chairperson is for any reason unable to exercise and perform the function of his office.

(2) The appointment of a person to act as Chairperson ceases to have effect if—

- (a) made during a vacancy in the office of chairperson, when the vacancy ends by the election of a Chairperson;
- (b) the person appointed resigns the office in writing to the Council; or
- (c) the Council revokes the appointment under subparagraph (2) of this paragraph.

#### *Meetings of the Institute*

3. A special general meeting of the Institute—

- (a) may be held at any time; and
- (b) be held on a written request made to the Council and signed by not less than one-third of the members of the Institute.

4. (1) A meeting of the Institute shall be convened by the Council by giving to every member of the Institute a written notice—

- (a) stating the place where and the day and hour when, the meeting is to held; and
- (b) indicating the business which is proposed to transact at the meeting.

(2) Notice of a meeting shall be given not less than fourteen days before the date on which it is to be held to each member of the Institute by posting the notice to the address of the member last known to the Institute, or by handing the notice to the member in person.

(3) The validity of any proceedings of the Institute shall not be affected by any failure to comply with the requirement of subparagraph (2) of this paragraph unless it is proved that the failure so to comply in relation to any member was a deliberate failure.

5. (1) The Chairperson shall preside at all meetings of the Institute at which he is present.

(2) At a meeting of the Institute at which the Chairperson is not present, the Vice-Chairperson of the Council shall preside.

(3) At a meeting of the Institute at which neither the Chairperson nor the Vice-Chairperson of the Council is present, the members of the Institute present at the meeting shall elect one of their members to preside.

6. (1) Subject to this paragraph, the quorum at a meeting of the Institute is one-third of the members.

(2) Where a special general meeting of the Institute is convened—

- (a) otherwise than pursuant to paragraph 3(b) of this Schedule, and a quorum is not present when the meeting proceeds to business, the meeting shall stand adjourned until the same day on the following week, at the same time and place, and if a quorum is not present at or within fifteen minutes after that time, the members present shall constitute a quorum; or



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- (b) pursuant to paragraph 4(b) of this Schedule, and a quorum is not present when the meeting proceeds to business the meeting shall stand dissolved.

7. (1) No business shall be transacted at a meeting of the Institute unless—

- (a) the business is indicated in the notice of the meeting as business which it is proposed to transact; or
- (b) in the case of business not so indicated, the meeting decides to transact the business and the person presiding at the meeting agrees such transaction.

(2) Minutes of the proceedings at meetings of the Institute shall be kept in such a manner as the Chairperson or in his absence the person presiding at a particular meeting, directs.

8. The person presiding at a meeting of the Institute may adjourn the meeting from time to time and from place to place, with the consent of the members.

9. (1) Questions arising at a meeting shall be determined by a majority of the members of the Institute voting on the question.

(2) Voting on any question shall be by a show of hands unless, before the declaration of the result of the voting on the hands, a ballot is demanded—

- (a) by the person presiding at the meeting; or
- (b) by at least two members of the Institute present, in which event the question shall be determined by a ballot taken in such manner as the person presiding at the meeting directs.

(3) The person presiding at a meeting of the Institute has a deliberative vote, and, in the event of an equality of votes, also has a casting vote.

(4) A declaration by the person presiding at a meeting of the Institute that a resolution has or has not been carried and an entry to that effect in the minutes of the meeting is evidence of that fact.

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## SECOND SCHEDULE

[Section 39.]

### TRANSITIONAL PROVISIONS

1. The Head of the division of Human Nutrition and Dietetics in the Ministry in liaison with—

- (a) the Nutrition Association of Kenya;
- (b) the Kenya Community of Action in Nutrition;
- (c) the Kenya Community Nutrition Association; and
- (d) the Clinical Nutrition and Dietetics Association of Kenya,

shall within twelve months from the date of the commencement of this Act convene the First Annual General Meeting at which the first members of the Institute shall be elected.

2. The head of the Division of Human Nutrition and Dietetics in the Ministry shall chair the meeting referred to in paragraph 1.

*Nutritionists and Dieticians*

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3. Prior to convening the meeting referred to in paragraph 1, the Head of the Division of Human Nutrition and Dietetics in the Ministry in liaison with the organisation referred to in paragraph 1 shall facilitate the registration of the person carrying on business or holding themselves out as nutritionists and dieticians.
  4. No person shall be eligible to participate in the election referred to under paragraph (1) unless such person is registered in terms of paragraph 3.
  5. After the expiry of twelve months after the commencement of the Act no person may carry on business or hold himself/herself out as being a nutritionist or dietician, except in compliance with this Act.
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