



**MINISTRY OF HEALTH
PHARMACY AND POISONS BOARD**

**CRITERIA
FOR ISSUANCE OF A “NO-OBJECTION TO ISSUANCE
OF
WORK PERMIT” IN THE PHARMACEUTICAL SECTOR**

Introduction

The Pharmaceutical sector in Kenya has increasingly been attracting a large number of foreigners to work in the various sectors of the pharmaceutical industry. This has increasingly resulted in denial of employment opportunities for duly qualified Kenyan citizens.

Further, concerns have been raised over the disparity in terms and conditions of service and the fact that some of the jobs undertaken by foreigners can be done by Kenyans.

The issuance work permits in Kenya is governed under the Citizenship and Immigration Act, which largely stipulates that the economy of Kenya should be manned by trained and competent citizens. Permits are issued to foreign nationals with skills not available at present on the Kenya labour market, only on the understanding that effective training programmes are undertaken to produce trained citizens within a specified period.

Therefore, in order to secure a work permit, a foreigner should be bringing in **skills and expertise** that are not locally available.

In light of this, it is the responsibility of the Pharmacy and Poisons Board, to assess the suitability of foreign applicants to ensure that only duly qualified foreigners are granted a work permit by the Immigration department. This is in order to ensure a balance between the benefits brought on board by foreigners while ensuring Kenyanization.

Criteria

1. If the applicant's intended position of employment requires one to be a registered pharmacist or enrolled pharmaceutical technologist, the applicant, if qualified, should apply for registration as a Pharmacist or enrollment as a pharmaceutical technologist as per the provisions of the Pharmacy and Poisons Act, Cap 244 of the Laws of Kenya
2. The Applicant needs to demonstrate the special skills and expertise and lack of capacity locally to undertake the said duties. Provide CV, officially certified copied of academic and professional certificates
3. Details of a Kenyan understudy in training, in support of the no-objection application. Attach copies of the national identity card, CV and official certified copies of professional and academic certificates of the Kenyan trainee
4. The Applicant needs to demonstrate that the understudy has sufficient academic qualifications to be trained to undertake the said duties

5. The employer must demonstrate the steps taken to fill in the position locally/ Evidence of failure by the organization to fill the vacancy from the local labour market
6. The employer should provide details of the nature of employment and terms of service
7. If work permit is granted, the employer must submit evidence of skills transfer to the PPB upon expiry of the work permit period.

Procedure

- (i) The applicant must make an application in the prescribed form to the Registrar, Pharmacy and Poisons Board, attaching certified copies of the following:
 - a. Academic certificates, transcripts and credentials
 - b. Certificate of Registration as a pharmacist, pharmacy specialist or doctor of pharmacy, as the case may be.
 - c. Current pharmacy practice license issued by the competent regulatory authority in the country of practice
 - d. Letter of good and regular standing issued by the professional body of pharmacists, pharmacy specialists and/or doctors of pharmacy in the country of pharmacy practice
 - e. Other requirements prescribed in the form
- (ii) The Registrar will appoint an *ad hoc* Committee to review the application(s).
- (iii) If the *ad hoc Committee* is satisfied that the expertise is required in Kenya, will make a recommendation for issuance of a no-objection letter by the Registrar.
- (iv) The Registrar may issue a letter of no-objection to the applicant and the Department of Immigration within seven (7) days of the decision.
- (v) The Registrar shall maintain a register at the Board premises for persons granted a no-objection or otherwise as the case may be.

Review of Decisions

The Applicant may within fourteen (14) days of receipt of the decision apply to the Board for a review of the decision.