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REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

NAIROBI, 8th April, 2022

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The Kenya School of Law (Amendment) Bill, 2022541



**THE KENYA SCHOOL OF LAW (AMENDMENT)
BILL, 2022**

A Bill for

**AN ACT of Parliament to amend the Kenya School of
Law Act, 2012; and for connected purposes**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Kenya School of Law
(Amendment) Act, 2022.

Short title.

2. Section 16 of the Kenya School of Law Act, 2012,
(in this Act referred to as the “principal Act”), is amended
by deleting the words “set out in the Second Schedule for
that course” and substituting therefor the words “prescribed
by the Council of Legal Education under section 8(3)(a) of
the Legal Education Act, 2012 for that course”.

Amendment of
section 16 of No.
26 of 2012.

No. 27 of 2012.

3. The principal Act is amended by repealing the
Second Schedule.

Repeal of the
Second Schedule
to No. 26 of 2012.

MEMORANDUM OF OBJECTS AND REASONS

The object of the Bill is to amend the Kenya School of Law Act, 2012, in order to confer upon the Council of Legal Education the power to prescribe admission requirements to courses of study at the Kenya School of Law.

Clause 1 of the Bill provides for the short title to the Bill.

Clause 2 of the Bill proposes to amend section 16 of the Kenya School of Law Act, 2012 to require persons to meet the admission requirements prescribed by the Council of Legal Education in order to qualify for admission to a course of study at the Kenya School of Law.

Clause 3 of the Bill provides for the repeal of the Second Schedule to the Act which prescribes admission requirements for courses offered by the Kenya School of Law. It is proposed that the admission requirements be prescribed by Council of Legal Education.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill does not delegate legislative powers and does not limit any rights and fundamental freedoms.

Statement on how the Bill concerns county governments

The Bill does not affect the functions of County governments as set out in the Fourth Schedule to the Constitution and is therefore not a Bill concerning counties. Sections 15 and 16 of Part 1 of the Fourth Schedule to the Constitution provides that education policy, standards and universities, tertiary educational institutions and other institutions of research and higher learning are functions of the National Government.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The enactment of this Bill shall not occasion additional public expenditure.

Dated the 28th March, 2022

AMOS KIMUNYA,
Leader of Majority Party.

Section 16 of No. 26 of 2012 which it is proposed to amend—

Admission requirements

16. A person shall not qualify for admission to a course of study at the School, unless that person has met the admission requirements, set out in the Second Schedule for that course.

Second Schedule of No. 26 of 2012 which it is proposed to amend—

SECOND SCHEDULE

ADMISSION REQUIREMENTS

The Admission requirements will be as follows—

(a) Admission Requirements into the Advocates Training Programme

(1) A person shall be admitted to the School if—

- (a) having passed the relevant examination of any recognized university in Kenya, or of any university, university college or other institution prescribed by the Council, holds or becomes eligible for the conferment of the Bachelor of Laws (LLB) degree of that university, university college or institution; or
- (b) having passed the relevant examinations of a university, university college or other institutions prescribed by the Council of Legal Education, holds or has become eligible for the conferment of the Bachelor of Laws Degree (LLB) in the grant of that university, university college or other institution—
 - (i) attained a minimum entry requirement for admission to a university in Kenya; and
 - (ii) obtained a minimum grade B (plain) in English Language or Kiswahili and a mean grade of C (plus) in the Kenya Certificate of Secondary Education or its equivalent; and
 - (iii) has sat and passed the pre-Bar examination set by the school.

(b) Admission Requirements in the Para-Legal Programme

(1) Must have a mean grade of C (C plain) in the Kenya Certificate of Secondary Education (KCSE) (or equivalent examination) and a minimum grade C+ (C plus) in English.

(2) At least one principal pass at the Kenya Advanced Certificate of Education (KACE) examinations.

(3) A distinction or credit pass in the Certificate in Law course conducted at the Kenya School of Law (2000 – 2003) or any other Certificate or Diploma in a relevant field.

(c) Admission Requirements for Continuing Professional Development Programme (CPD)

(1) Any person who has undertaken any legal training or any person who possesses relevant professional qualifications may be admitted for Continuing Professional Development courses.

(2) Each module shall have specific admission criteria which will be set out in the relevant advertisement or brochure for each course.