

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 68 (National Assembly Bills No. 23)*

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REPUBLIC OF KENYA

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***KENYA GAZETTE SUPPLEMENT***

**NATIONAL ASSEMBLY BILLS, 2022**

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**NAIROBI, 8th April, 2022**

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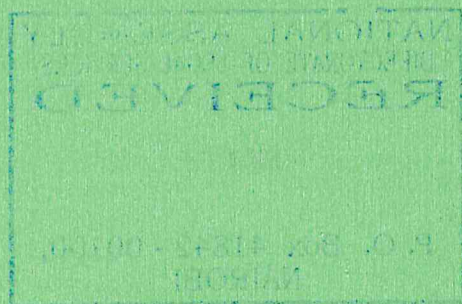
Bill for Introduction into the National Assembly—

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**THE LEGAL EDUCATION (AMENDMENT) BILL,  
2022**

**A BILL for**

**AN ACT of Parliament to amend the Legal Education Act, 2012; and for connected purposes**

**ENACTED** by the Parliament of Kenya, as follows—

1. This Act may be cited as the Legal Education (Amendment) Act, 2022.

Short title.

2. Section 8 of the Legal Education Act, 2012, is amended—

Amendment of  
section 8 of No.  
27 of 2012.

(a) in subsection (2) by inserting the following new paragraph immediately after paragraph (a)—

“(aa) accreditation of legal education providers for the purpose of licensing of the Advocates Training Programme;”

(b) in subsection (3) by inserting the word “all” immediately after the words “enroll in” appearing in paragraph (a).



## **MEMORANDUM OF OBJECTS AND REASONS**

The object of the Bill is to amend the Legal Education Act, 2012, in order to confer upon the Council of Legal Education the power to accredit legal education providers for the purpose of licensing of the Advocates Training Programme and to set standards for all legal education and training programmes in Kenya.

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

**Clause 2** of the Bill proposes to amend section 8 of the Legal Education Act, 2012 to provide for accreditation of legal education providers for the purpose of licensing of the Advocates Training Programme in order to allow other institutions to offer the programme and require the Council of Legal Education to prescribe, through Regulations, the admission requirements for persons seeking to enroll in all legal education programmes.

### **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 8 of No. 27 of 2012 which it is proposed to amend—*

**8. Functions of the Council**

(2) Without prejudice to the generality of subsection (1), the Council shall, with respect to legal education providers, be responsible for setting and enforcing standards relating to the—

- (a) accreditation of legal education providers for the purposes of licensing;
- (b) curricula and mode of instruction;
- (c) mode and quality of examinations;
- (d) harmonization of legal education programmes; and
- (e) monitoring and evaluation of legal education providers and programmes.

(3) In carrying out its functions under subsection (2), the Council shall—

- (a) make Regulations in respect of requirements for the admission of persons seeking to enroll in legal education programmes;
- (b) establish criteria for the recognition and equation of academic qualifications in legal education;
- (c) formulate a system for recognizing prior learning and experience in law to facilitate progression in legal education from lower levels of learning to higher levels;
- (d) establish a system of equivalencies of legal educational qualifications and credit transfers;
- (e) advise and make recommendations to the Government and any other relevant authority on matters relating to legal education and training that require the consideration of the Government;
- (f) collect, analyse and publish information relating to legal education and training;
- (g) advise the Government on the standardization, recognition and equation of legal education qualifications awarded by foreign institutions;
- (h) carry out regular visits and inspections of legal education providers; and
- (i) perform and exercise any other functions conferred on it by this Act.



