

SPECIAL ISSUE

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REPUBLIC OF KENYA

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NATIONAL ASSEMBLY BILLS, 2023

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CONTENT

Bill for Introduction into the National Assembly—	PAGE
The Kenya School of Law (Amendment) Bill, 2023	1743





**THE KENYA SCHOOL OF LAW (AMENDMENT)
BILL, 2023**

A Bill for

AN ACT of Parliament to amend the Kenya School of Law Act

ENACTED by Parliament of Kenya as follows—

1. This Act may be cited as the Kenya School of Law (Amendment) Act, 2023.

Short title.

2. The Kenya School of Law Act is amended in the Second Schedule by inserting the following new paragraph immediately after paragraph 1—

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

(1A) A person who does not meet the requirements under paragraph (1) above shall be eligible for admission to the Advocates Training Programme, if that person—

- (a) attained a minimum entry requirement for a diploma in law;
- (b) attained a diploma in law from a university, university college or other institution recognized in Kenya; and
- (c) subsequently passed the relevant examinations of any recognized university, university college or other institution prescribed by Council of Legal Education, holds or has become eligible for the conferment of the Bachelor of laws of that university.

MEMORANDUM OF OBJECTS AND REASONS

The principle objective of this Bill is to amend the Kenya School of Law Act, 2012 to allow students who do not attain qualification for direct admission for Bachelor of Laws (LLB), or who do not meet the minimum entry requirement for admission into a university in Kenya, but have started from a diploma and subsequently progressed to attain a Bachelor of Laws degree (LLB) to be admitted into the Kenya School of Law for the Advocates Training Programme (ATP).

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

Clause 2 of the Bill proposes to amend the Second Schedule to the Act to introduce a new paragraph to allow students who do not meet the minimum requirement for admission into a university in Kenya but have attained a diploma in law and subsequently a Bachelor of Laws to be allowed for admission into the Advocates Training Programme (ATP).

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

The Bill does not delegate legislative powers neither does it limit any fundamental rights and fundamental freedoms.

Statement that the Bill does not concern County Governments

The Bill does not concern County Governments as set out in the Fourth Schedule to the Constitution and is therefore not a Bill concerning counties. Section 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 that the Bill is a money Bill within the meaning of Article 114 of the Constitution

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

Dated the 11th October, 2023.

JANE NJERI MAINA,
Member of Parliament.

Second Schedule to No. 16 of 2012 which is proposed to be amended—

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.

(2) Deleted by Act No. 18 of 2014, Sch.

(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.



