

**THE BASIC EDUCATION (AMENDMENT) BILL,  
2023**

**A Bill for**

**AN ACT of Parliament to amend the Basic Education  
Act and for connected purposes.**

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

**1.** This Act may be cited as the Basic Education (Amendment) Bill, 2023.

Short title.

**2.** Section 18 of the Basic Education Act is amended by—

Amendment of  
section 18 of CAP  
211.

(a) deleting subsection (2); and

(b) inserting the following new sections immediately after section 18—

The Sub-county  
Education Board.

**18A.** There is established a Sub-County Education Board.

Consultation with the  
County Education  
Board.

**18B.** (1) The Sub-county Education Board shall consult with the County Education Board in the performance its functions.

(2) Despite the provisions of subsection (1), the Cabinet Secretary shall in consultation with National Education Board, through the existing mechanisms for coordination of inter-governmental relations, make regulations prescribing the coordination between the National Education Board, the County Education Boards and the Sub-county Education Boards.

Composition of Sub-  
county Education  
Boards.

**18C.** (1) Every Sub-county Education Board shall consist of a Chairperson and six other members appointed by the Cabinet Secretary.

(2) The Board members under subsection (1) shall include—

(a) the Sub-county Director of Education or a designate of the Sub-county Director of

Education;

(b) the County Executive in charge of Education or a designate of the County Executive in charge of Education;

(c) one person designated by the Teachers Service Commission;

(d) two persons nominated by the Teachers Trade Union;

(e) two persons who are professionals with at least five years of experience based in the Sub-county nominated by the Parents Teachers Association in the Sub-county; and

(f) two persons nominated by one of the following religious organisations that has the highest number of members registered in the sub-county—

(i) a joint forum of the National Council of Churches of Kenya and the Evangelical Fellowship of Kenya;

(ii) the Kenya Episcopal Conference; or

(iii) the Muslim Education Council.

(3) In appointing the Chairperson and members of the Board, the Cabinet Secretary shall ensure—

(a) that not more than two-thirds of the members are of the same gender;

(b) equal opportunities for persons with disabilities and other marginalized

groups; and

(c) that the appointees to the Board reflect the interests of all sections of the society.

(4) The Chairperson of a Sub-county Education Board shall possess a minimum qualification of a degree and the members shall possess a minimum qualification of secondary education with post-secondary certificate as an added advantage.

(5) The Board Member appointed under subsection (2)(a) shall be the Secretary to the Sub-county Education Board.

(6) The staff of the Sub-county Education Board shall be persons serving under the County Public Service Board of the respective County.

(7) The Second Schedule shall apply to the conduct of the business and affairs of a Sub-county Education Board with necessary modification and, except as provided in the Second Schedule, a Sub County Education Board may regulate its own procedure.

Tenure.

**18D.** The Chairperson and members of a Sub-county Education Board shall be appointed for a term of five years and shall be eligible for re-appointment for one further term.

Meetings of the Sub-county Education Board.

**18E. (1)** A Sub-county Education Board shall hold such number of meetings at such places and at such times as the Sub-county Education Board shall consider necessary for the proper discharge of its functions.

(2) Notwithstanding subsection (1), the Sub-county Education Board shall meet not less than four times in each financial year.

(3) The Sub-county Education Board shall —

(a) notify each member of a meeting under subsections (1) and (2);

(b) issue the notice under subsection (1) within a period that is not less than seven days before the day of the meeting under subsections (1) and (2)."

Remuneration of the  
Sub-county  
Education Board.

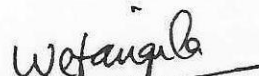
**18F.** The Sub-county Education Board shall pay its members such remuneration or allowances as may be approved by the Cabinet Secretary in consultation with the Salaries and Remuneration Commission."

I certify that this printed impression is a true copy of the Bill passed by the National Assembly on the 19<sup>th</sup> November, 2025.



*AST*, Clerk of the National Assembly

Endorsed for presentation to the Senate in accordance with the provisions of Standing Order 142 of the National Assembly Standing Orders.



*Wofangula*  
Speaker of the National Assembly

