



*Approved
SWA
7/4/26*

**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026**

COMMITTEE ON DELEGATED LEGISLATION

**REPORT
ON
THE CONSIDERATION OF THE DRAFT CHARTER FOR THE ESTABLISHMENT OF
THE KENYA MEDICAL RESEARCH INSTITUTE**

APRIL 2026

**The Directorate of Audit, Appropriations
& General-Purpose Committees
The National Assembly
Parliament Buildings**


 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 07 APR 2026 DAY. <i>Tuesday</i>	
TABLED BY:	<i>Hon Samuel Cheptoo</i>
CLERK-AT THE-TABLE:	<i>A. Shabaka</i>

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LIST OF ABBREVIATIONS AND ACRONYMS

AG	Attorney General
BETA	Bottom-Up Economic Transformation Agenda
CBS	Chief of the Order of the Burning Spear
CEO	Chief Executive Officer
CUE	Commission for University Education
DLS	Directorate of Legislative and Procedural Services
EGH	Elder of the Order of the Golden Heart
EBS	Elder of the Order of the Burning Spear
GoK	Government of Kenya
IDeAL	Initiative to Develop African Research Leaders
IHR	International Health Organization
JKUAT	Jomo Kenyatta University of Agriculture and Technology
KEMRI	Kenya Medical Research Institute
KENIA	Kenya National Innovation Agency
LN	Legal Notice
MDA	Ministry, Department and Agency
MP	Member of Parliament
NACOSTI	National Commission for Science, Technology and Innovation
NRF	National Research Fund
OAG	Office of the Auditor-General
ODM	Orange Democratic Movement
PhD	Doctor of Philosophy
RVF	Rift Valley Fever
UDM	United Democratic Movement
UDA	United Democratic Alliance
UHC	Universal Health Coverage
UPA	United Progressive Alliance
UPIA	United Party of Independent Alliance
WDM–Kenya	Wiper Democratic Movement–Kenya
WHO	World Health Organization

LIST OF ANNEXURES

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- Annexure 1: Adoption Schedule
 - Annexure 2: Minutes
 - Annexure 3: Draft Charter
 - Annexure 4: Cabinet Memorandum
 - Annexure 5: Letter of Recommendation from the Commission of University Education
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CHAIRPERSON'S FOREWORD

The Draft Charter for the Kenya Medical Research Institute (KEMRI) was tabled in the House on Wednesday, 1st April 2026 by the Leader of Majority, for parliamentary approval pursuant to section 24 (1)(a) of the Universities Act, 2012.

The Charter seeks to establish KEMRI as a specialized degree-awarding institution of strategic national importance, with a mandate to advance capacity building in highly specialized human health research and to strengthen the coordination, conduct, and promotion of health research in Kenya. This initiative is informed by national priorities, including lessons from the COVID-19 pandemic, which underscored the need for enhanced local capacity in the development and manufacture of vaccines, diagnostics, and biotherapeutics.

The Charter further aligns with the Kenya Kwanza Initiative on strengthening local research, development, manufacturing, and commercialization of health technologies, which necessitates a highly skilled biomedical workforce supported through specialized postgraduate training. KEMRI's existing capacity, including its internationally recognized clinical trials platform, has contributed to the development and licensing of key vaccines such as the malaria RTS vaccine, the cervical cancer Gardasil vaccine, and the pneumococcal conjugate vaccine. Additionally, the Institute has played a role in vaccine innovation, including work associated with the ChAdOx platform that informed global COVID-19 vaccine development.

On 24th June 2025, the Cabinet declared KEMRI as an Institution of Strategic National Importance, recognizing its critical role in biosecurity, biosurveillance, epidemic intelligence, and national health security. Subsequently, the Institute applied to the Commission for University Education (CUE) for conferment of a Charter as a specialized degree-awarding institution. The application process involved consultations with key stakeholders, including the Ministries of Health and Education, the Office of the Attorney General, professional regulatory bodies, and other sector actors. Following a comprehensive accreditation process and a needs assessment study, the CUE confirmed that KEMRI met all prescribed requirements and recommended the award of the Charter.

The Cabinet, at its 4th Cabinet Meeting – 2025 held on 24th June 2025, had earlier approved the establishment of KEMRI and authorized submission of the Charter to Parliament for approval. The Draft Charter was reviewed by the Office of the Attorney General and submitted to Parliament for approval in accordance with section 24(1) of the Universities Act, No. 42 of 2012.

In undertaking its scrutiny, the Committee on Delegated Legislation held a meeting on Thursday, 2nd April 2026 with the Principal Secretary, State Department for Higher Education and Research, the Chairperson of the KEMRI Board, and the Commission for University Education. The Committee reviewed the Draft Charter and satisfied itself that due process had been followed, including compliance with all statutory and accreditation requirements.

Having examined the Draft Charter for the establishment of the Kenya Medical Research Institute, the **Committee recommends that the House APPROVES** the award of

Charter for the Establishment of the Kenya Medical Research Institute pursuant to section 24(1)(a) of the Universities Act, No. 42 of 2012.

I sincerely thank the Speaker and the Office of the Clerk of the National Assembly for the invaluable support accorded to the Committee in the discharge of its mandate. I also wish to thank the Committee Membership and the Secretariat for their diligence in considering these Regulations. On behalf of the Members of the Committee on Delegated Legislation and pursuant to Standing Order 210, it is my pleasure and duty to present to the House the Committee's ***Report on the Consideration of the Draft Charter for the Establishment of the Kenya Medical Research Institute.***



HON. CHEPKONG'A KIPRONO SAMUEL, CBS, MP.

CHAIRPERSON, COMMITTEE ON DELEGATED LEGISLATION.

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Select Committee on Delegated Legislation is established under **Standing Order No. 210** of the National Assembly Standing Orders and is mandated to consider statutory instruments submitted to Parliament for consideration. The Committee is expected to consider, in respect to any statutory instrument, whether it is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws.
2. The Committee is mandated to consider, in respect of any statutory instrument, whether it:
 - a) is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws;
 - b) infringes on fundamental rights and freedoms of the public;
 - c) contains a matter which, in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
 - d) contains imposition of taxation;
 - e) directly or indirectly bars the jurisdiction of the Courts;
 - f) gives retrospective effect to any of the provisions in respect to which the Constitution or the Act does not expressly give any such power;
 - g) involves expenditure from the Consolidated Fund or other public revenues;
 - h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;
 - i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
 - j) appears to have had an unjustifiable delay in its publication or laying before Parliament;
 - k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - l) makes rights, liberties or obligations unduly dependent on insufficiently defined administrative powers;
 - m) inappropriately delegates legislative powers;
 - n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;

- o) appears for any reason to infringe on the rule of law;
 - p) inadequately subjects the exercise of legislative power to Parliamentary scrutiny; and
 - q) accords to any other reason that the Committee considers fit to examine.
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1.2 Committee Membership

3. The Committee membership comprises –

Chairperson

Hon. Chepkong'a Kiprono Samuel, CBS, M.P.

Ainabkoi Constituency

UDA

Vice-Chairperson

Hon. Githinji Robert Gichimu, M.P.

Gichugu Constituency

UDA

Committee Members

Hon. Mbui Robert, CBS, M.P.

Kathiani Constituency

WDM-Kenya

**Hon. (Maj) (Rtd) Dekow Barrow
Mohamed, M.P.**

Garrisa Township Constituency

UDA

**Hon. Julius Lekakeny Ole Sunkuli,
EGH, EBS, M.P.**

Kilgoris Constituency

KANU

Hon. Kamene Joyce, M.P

Machakos County

WDM-Kenya

**Hon. Dr. Onchoke, Mamwacha
Charles, M.P.**

Bonchari Constituency

UPA

Hon. Dr. Kimaiyo, Gideon Kipkoech, M.P.

Keiyo South Constituency

UDA

Hon. Waithaka, John Machua, M.P.

Kiambu Constituency

UDA

Hon. Chebor, Paul Kibet, M. P

Rongai Constituency

UDA

Hon. Yakub Adow Kuno, M. P

Bura Constituency

UPIA

**Hon. (Maj) (Rtd) Abdullahi, Bashir
Sheikh, M.P.**

Mandera North Constituency

UDM

Hon. Mwirigi John Paul, M.P.

Igembe South Constituency

Hon. Oduyo, Jared Okello, M.P.

Nyando Constituency

UDA

Hon. Chepkorir Linet, M.P.

Bomet County

UDA

Hon. Oluoch, Anthony Tom M.P.

Mathare Constituency

ODM

Hon. Moses Okoth Omondi M.P.

Ugunja Constituency

ODM

Hon. Mugabe Innocent Maino, M.P.

Likuyani Constituency

ODM

ODM

Hon. Munyoro Joseph Kamau, M.P

Kigumo Constituency

UDA

Hon. Lenguris Pauline, M.P.

Samburu County

UDA

Hon Mnyazi Amina Laura, MP.

Malindi Constituency

ODM

1.3 Committee Secretariat

4. The Secretariat facilitating the Committee comprises –

(1) Ms. Wanjiru Mwaura	Principal Clerk I (Team Leader)
(2) Mr. Dima Dima	Deputy Director-DLS
a. Mr. Brian Langwech	Clerk Assistant III
b. Mr. Grace Odedere	Clerk Assistant III
c. Ms. Peter Barasa	Legal Counsel II
d. Ms. Angela Musau	Legal Counsel II
e. Ms. Brenda Michira	Research Officer III
f. Mr. Noah Chemweno	Serjeant at Arms
g. Mr. Daniel Psirmoi	Media Relations Officer

2.0 CONSIDERATION OF THE DRAFT CHARTER FOR THE ESTABLISHMENT OF THE KENYA MEDICAL RESEARCH INSTITUTE

2.1 Purpose of the Statutory Instrument

5. Section 24(1)(a) of the Universities Act, No. 42 of 2012 provides that the President, on the recommendation of the Commission for University Education, through the relevant Cabinet Secretary, and with the approval of Parliament, by award of Charter, establish a specialized degree-awarding institution or institutions whose mandate shall be of strategic national importance.
6. The Charter establishes the Kenya Medical Research Institute (KEMRI) as a specialized degree-awarding research institute, which shall be a body corporate with perpetual succession and a common seal, and shall perform all those functions performed by a body corporate.
7. The Charter confers upon KEMRI the authority to award specialized postgraduate degrees and postdoctoral qualifications in the highly specialized strategic areas of research for human health, including Health Products and Technologies, Health Systems and Preventive Sciences, Molecular Biomedical Sciences, and Population Health and Biosurveillance.
8. The Draft Charter, a copy of the Cabinet Memorandum and a letter from the Commission of University Education, recommending the award of charter for the establishment of the Kenya Medical Research Institute were submitted to Parliament for parliamentary approval.

2.2 Legislative Context

9. Section 4 of the Universities Act establishes the Commission for University Education as the national regulator in charge of universities in Kenya. Additionally, Section 5 of the Act mandates the Commission to accredit universities and all academic programmes offered in these universities.
10. Additionally, sections 13(1), 14, 20(3) provide that every university in Kenya shall be established by a charter, by Letter of Interim Authority or by a legal order respectively.
11. Furthermore, section 24(1)(a) of the Universities Act, Cap 210 provides that the President, on the recommendation of the Commission through the Cabinet Secretary for Education, and with the approval of Parliament, may by award of Charter establish a specialized degree-awarding or research institution whose mandate shall be of strategic national importance.

2.3 Policy Background

2.3.1 Establishment and History

12. The KEMRI is a State Corporation established in 1979 under the Science and Technology Act, Cap 250, Laws of Kenya. KEMRI was created to fill the health research void left by the

dissolution of the East African Medical Research Council following the breakup of the East African Community.

13. It was constituted as the national body responsible for carrying out research in human health in Kenya and has since grown into one of Africa's foremost health research institutions. Any person who wishes to offer university education in Kenya is required to apply to the Commission for accreditation as a university in Kenya.

2.3.2 Policy Reforms Informing the Current Legal Framework

a) Science Technology and Innovation Act, No. 28 of 2013

14. Following the promulgation of the new Constitution, in 2010, the Science and Technology Act, Cap 250 of 1977 was repealed and replaced by the Science, Technology and Innovation Act, No. 28 of 2013, which came into effect in January 2013. The Act was developed subject to a national Science Technology Innovation Policy and Strategy aimed at aligning the existing legal framework to the new Constitution.
15. The Science Technology and Innovation Act established the National Commission for Science, Technology and Innovation (NACOSTI), as a successor to the National Council for Science and Technology, the Kenya National Innovation Agency (KENIA), and the National Research Fund (NRF).
16. The KEMRI is recognized as a Research Institute under the Fourth Schedule of the Act. The Act also introduced a strengthened framework for intellectual property rights in research, mandatory research licensing, and periodic external evaluation of research institutes.
17. Further, the Constitution of Kenya, 2010 introduced devolved governance under Chapter Eleven (11) and guaranteed the right to the highest attainable standard of health under Article 43. In response, KEMRI developed a framework for coordinating its research activities across all the forty-seven counties through regional offices and has signed Memoranda of Understanding with several county governments to establish research stations, biosurveillance nodes and community-based research platforms.

b) Universities Act, Cap 210

18. The Universities Act, Cap 210, was enacted in December 2012, with a view of aligning the legal framework regulating universities in Kenya with the new Constitution. The Act introduced section 24(1)(a), which empowers the President, on the recommendation of the Commission for University Education and with the approval of Parliament, to establish by Charter a specialized degree-awarding or research institution whose mandate is of strategic national importance. This provision opened the legal pathway for KEMRI to seek a Charter as a specialised degree-awarding research institution.

c) Kenya Medical Research Institute Order, Legal Notice No. 35 of 2021

19. The KEMRI was reconstituted as a legal entity through the Kenya Medical Research Institute Order published in the Kenya Gazette Vol. CXXIII – No. 69 on 9th April 2021 as Legal Notice No. 35 of 2021, made under the Science, Technology and Innovation Act, Cap 511.
20. The Order re-established KEMRI as a body corporate with perpetual succession. It provided the legal foundation upon which KEMRI's application for Charter was advanced by expanding its mandate to include—
 - a) conducting health, biomedical and public health research;
 - b) building research capacity: collaborating with local and international institutions;
 - c) advising the Government on health research policy;
 - d) undertaking scientific and technological innovation; and
 - e) establishing incubation centres linking research, academia, industry and policymakers in the health products value chain.

2.3.3 Policy Context Informing the Recommendation for Award of Charter to the KEMRI

21. The establishment of KEMRI as a chartered institution is driven by several intersecting national imperatives including the lessons from the COVID-19 pandemic which accelerated Kenya's drive to build the country's local capacity to manufacture health products and technologies including vaccines, diagnostics and biotherapeutics.
22. The Kenya Kwanza Government initiative for local research and development, manufacturing and commercialization of specialized health products demands a trained biomedical workforce that can only be sustainably produced through specialized postgraduate training.
23. On 18th February 2023 during the European Union Business Forum in Nairobi, the Government of Kenya affirmed its priority to develop a credible workforce in the biotechnology sector to enable a robust bio-manufacturing industry. Consequently, line ministries were directed to establish a bio-manufacturing training ecosystem in Kenya, with KEMRI being identified as the key institution to anchor this initiative.
24. In addition, the KEMRI has a globally recognized and accredited clinical trials platform, which has supported multinational pharmaceutical companies in developing and licensing new vaccines, including the malaria RTSs vaccine, the cervical cancer Gardasil vaccine, and the pneumococcal conjugate vaccine.
25. Furthermore, the first-ever licensed vaccine against Rift Valley Fever Virus (RVF), developed at KEMRI using the ChadOx platform, was subsequently used by Oxford University and AstraZeneca to develop the first global COVID-19 vaccine commonly referred to as the COVISHIELD.
26. On the other hand, KEMRI is the country's leading organization in combating bio-threat pathogens, with scientists conducting research to discover and develop new diagnostic tools,

drugs, vaccines and other biological devices for national pandemic preparedness and response.

27. On 24th June 2025, the Cabinet of the Republic of Kenya declared the Kenya Medical Research Institute as an Institution of Strategic National Importance, recognizing KEMRI's critical role in biosecurity, biodefense, biosurveillance, epidemic intelligence, and national health security.
28. This declaration fulfilled the mandatory prerequisite under section 24(1)(a) of the Universities Act, enabling the Commission for University Education to formally recommend KEMRI for the award of Charter.
29. In the foregoing, granting of this Charter directly supports Kenya's obligations under key national and international frameworks including Kenya Vision 2030, the Bottom-Up Economic Transformation Agenda (BETA), the Sustainable Development Goals, specifically SDG 3 on Good Health and Well-being, the Universal Health Coverage (UHC), and the International Health Regulations (IHR) 2005 of the World Health Organization (WHO).

2.4 Process Preceding the Recommendation for Award of Charter

30. The KEMRI applied to the Commission for University Education for establishment as a specialized degree-awarding institution. In processing this application, guidance was sought from multiple stakeholders including the Ministry of Health, the Ministry of Education, and the Office of the Attorney General.
31. The Institution was taken through the full accreditation process and met all minimum requirements prescribed by the Commission. The Commission confirmed KEMRI's readiness based on:
 - a) A highly trained corps of biomedical and clinical scientists with the qualifications and experience to supervise postgraduate and postdoctoral research;
 - b) State-of-the-art laboratory infrastructure, including BSL-2 and BSL-3 containment facilities, genomics and bioinformatics platforms, clinical trial units, and national reference laboratories;
 - c) Demonstrated track record in postgraduate training through a collaboration with the Institute of Tropical Medicine and Infectious Disease, of Jomo Kenyatta University of Agriculture and Technology (JKUAT), which has graduated 120 PhD candidates in health-related fields; and the Initiative to Develop African Research Leaders (IDeAL), based at KEMRI Kilifi in partnership with UK universities, has graduated more than 99 PhD candidates and postdoctoral fellows;
 - d) An extensive international network of partners, collaborators and funders, providing a sustainable ecosystem for research and scholarship funding; and
 - e) Demonstrated institutional capacity to initiate, manage and disseminate competitive research grants, generating approximately Kenya shillings seven billion (KShs 7 billion) equivalent to 70% of its annual budget, from research grants and income-generating activities.

32. The KEMRI was accordingly recommended by the Commission for University Education for the award of Charter as a specialized degree-awarding institution under section 24(1)(a) of the Universities Act, Cap 210.

33. The proposed Institute will conduct research related to human health including but not limited to—

- a) Public health research;
- b) Biomedical research;
- c) Traditional and alternative medicine research;
- d) Clinical, applied and social science research;
- e) Biodefence research; and
- f) other relevant fields related to the promotion, protection, and advancement of human health.

34. The institute will succeed the Kenya Medical Research Institute established under the Kenya Medical Research Institute Order, 2021 and shall have its headquarters in Nairobi.

2.5 Summary of the Draft Charter for the Establishment of the Kenya Medical Research Institute

35. **Part I** provides for preliminary provisions

36. **Part II** provides for the establishment and functions of the Institute.

37. **Part III** provides for Membership and Governance of the Institute which includes;

- a) Membership of the Institute
- b) The Chancellor
- c) The Chairperson of the Board
- d) The Board
- e) The Vice-Chancellor
- f) The Research and Academic Board
- g) Students' Association
- h) Alumni Association

38. **Part IV** provides for the Management of the Institute

39. **Part V** provides for the Conduct of Research for Human Health and Innovation

40. **Part VI** is on Medical Services and Clinical Trials

41. **Part VII** is on Traditional and Alternative Medicine

42. **Part VIII** provides for National Biosecurity and Biosurveillance

43. **Part IX** is on Intellectual Property

44. **Part X** is on Financial Provisions

45. **Part XI** is on miscellaneous provisions which include associations, collaborations or linkages, instruments of governance, statutes, instruments of authority, protection of name, performance of functions in the absence of office holder, convocation, transition, and variation and revocation of the Charter.

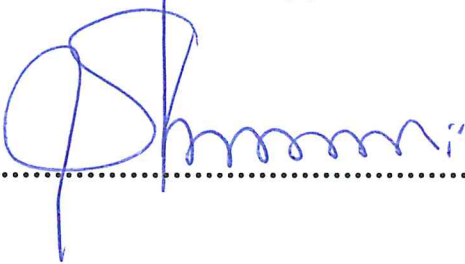
3.0 COMMITTEE OBSERVATIONS

46. The Committee having engaged the Principal Secretary of Higher Learning and Research, the Chairperson of the KEMRI Board and the Commission for University Education on Thursday, 2nd April 2026, in its consideration of the Draft Charter, observed the following—


- a) **THAT** the Cabinet at its 4th Cabinet Meeting – 2025 held on 24th June 2025 considered and approved the Establishment of the Kenya Medical Research Institute as a specialized degree-awarding institution of strategic national importance.
- b) **THAT** the Draft Charter was reviewed by the Office of the Attorney General and duly submitted to Parliament for approval in accordance with section 24(1) of the Universities Act, No.42 of 2012.
- c) **THAT** the Commission for University Education subjected the Ins to an accreditation process and confirmed that it had met all minimum requirements statutory and academic requirements prescribed by the Commission.
- d) **THAT** the application for award of Charter was informed by a comprehensive needs assessment study and broad stakeholder consultations, including line ministries, national and county government entities, professional regulatory bodies, academic institutions, collaborators, and sector partners.
- e) **THAT** the proposed Kenya Medical Research Institute will offer specialized capacity building in human health research and strengthen Kenya's position in biomedical innovation.
- f) **THAT** the Institute shall succeed the Kenya Medical Research Institute established under the Kenya Medical Research Institute Order, 2021 and shall have its headquarters in Nairobi.

4.0 COMMITTEE RECOMMENDATION

47. Having examined the Draft Charter for the Establishment of the Kenya Medical Research Institute, the **Committee recommends that the House APPROVES the award of Charter for the Establishment of the Kenya Medical Research Institute in accordance with section 24(1) of the Universities Act, No. 42 of 2012.**

Signed  Date 7/04/2026

**THE HON. CHEPKONG'A SAMUEL KIPRONO, CBS, MP
(CHAIRPERSON)
COMMITTEE ON DELEGATED LEGISLATION**

 THE NATIONAL ASSEMBLY PAPERS LAID	
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CLERK-AT THE-TABLE:	<u>A. Shitaka</u>

