

SPECIAL ISSUE

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REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2015

NAIROBI, 26th January, 2015

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**THE KENYA NATIONAL EXAMINATION
COUNCIL (AMENDMENT) BILL, 2015**

A Bill for

**AN ACT of Parliament to amend the Kenya
National Examination Council Act, 2012**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Kenya National Examination Council (Amendment) Act, 2015.

Short title.

2. Section 48 of the Kenya National Examination Council Act, 2012 is amended in by inserting a new subsection immediately after subsection (2) as follows—

Amendment of section 48 of No. 29 of 2012.

(3) Despite paragraph (h) of subsection (2), no examination fees or other examination charges shall be levied from Kenyan citizens in respect of—

- (a) the Kenya Certificate of Primary Education Examination or its equivalent; and
- (b) the Kenya Certificate of Secondary Education Examination or its equivalent.

MEMORANDUM OF OBJECTS AND REASONS

The main object of the Bill is to amend the Kenya National Examination Council Act, 2012 so as to abolish the examination fees payable by candidates at the Kenya Certificate of Primary Examination and the Kenya Certificate of Secondary Education Examination. This will facilitate the implementation of right to education as guaranteed by Article 43 (1) (f) of the Constitution and also actualize the full attainment of the free and compulsory basic education as outlined under Part IV of the Basic Education Act, 2013 (No 14 of 2013).

This Bill does not affect the functions of county governments but its enactment shall occasion additional expenditure of public funds.

Dated the 3rd February, 2014.

EMMANUEL WANGWE,
Member of Parliament.

Section 48 of No. 29 of 2012 which it is proposed to amend—

48. (1) The Council may make rules generally for the better carrying into effect the provisions of this Act.

(2) Without limiting the generality of the foregoing, rules made under this Act may provide for the following—

- (a) conduct of examinations;**
- (b) the nature and extent of examinations irregularity and the penalty thereof;**
- (c) the determination and management of examinations;**
- (d) equation of certificates including prescribing what examinations may be equated by the Council;**
- (e) the terms and conditions of service, including pension and other retirement benefits of the staff of the Council;**
- (f) measures for the discipline of the staff of the Council;**
- (g) the financial procedures of the Council;**
- (h) examination fees and other charges payable to the Council;**
- (i) prescribe any other matter which requires to be prescribed under this Act.**