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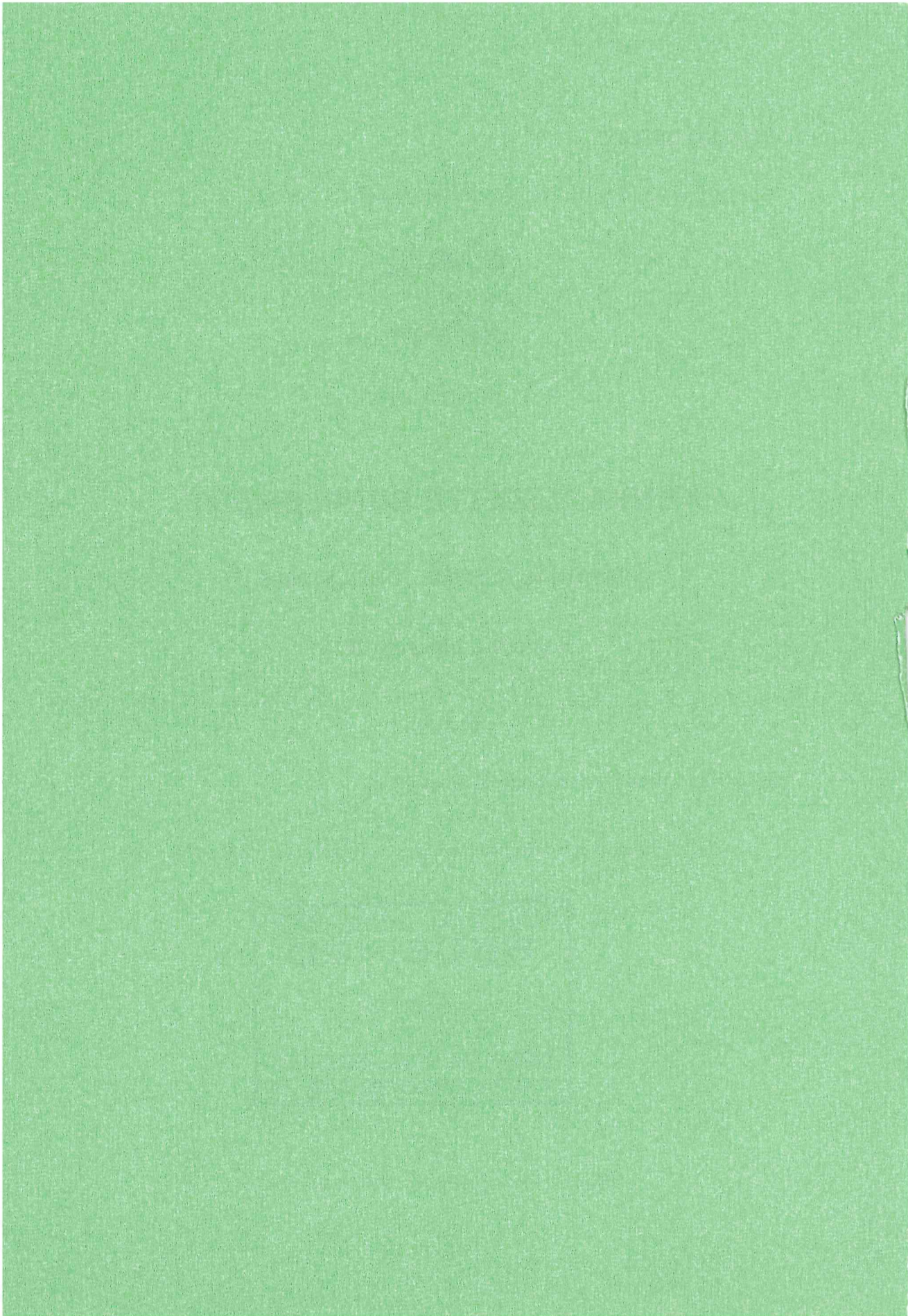
CONTENT

Bill for Introduction into the National Assembly—

PAGE

The Kenya Institute of Curriculum Development (Amendment) Bill, 2026 1961





1961

THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (AMENDMENT) BILL, 2026

A Bill for

AN ACT of Parliament to amend the Kenya Institute of Curriculum Development Act; and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Kenya Institute of Curriculum Development (Amendment) Bill, 2026. Short title.

2. Section 2 of the Kenya Institute of Curriculum Development Act (hereinafter referred to as the “principal Act”) is amended— Amendment of
section 2 of Cap.
211A.

(a) by deleting the definition of “Director”;

(b) by deleting the definition of “tertiary”;

(c) by inserting the following new definitions in proper alphabetical sequence—

“accreditation” means the procedure by which the Institute recognises a person or institution as a curriculum developer and as having fulfilled the prescribed criteria for developing curricula and programmes for use in the basic education;

“Chief Executive Officer” means the Chief Executive Officer of the Institute as appointed under section 14”; and

“differentiation” means the process of distinguishing curricula and curriculum support materials for use by learners with special needs in special needs education.

3. Section 3 of the principal Act is amended in subsection (4) by deleting the words “devolve its functions” and substituting therefor the words “decentralise its services”. Amendment of
section 3 of Cap.
211A.

4. Section 4 of the principal Act is amended— Amendment of
section 4 of Cap.
211A.

(a) in paragraph (c), by deleting the words “and tertiary education and training” and substituting therefor the words “teacher education and training”;

(b) in paragraph (d)(viii), by deleting the words

“technical and vocational education and training”
and substituting therefor with the words “teacher
education and training”;

(c) in paragraph (g), by deleting the words “and
tertiary education and training” and substituting
therefor the words “teacher education and
training”;

(d) by deleting paragraph (h) and substituting therefor
the following new paragraph—

“(h) collaborate with other agencies to provide
support in curriculum development”;

(e) in paragraph (l) by deleting the words “and
tertiary education and training” and substituting
therefor the words “teacher education and
training”;

(f) in paragraph (n), by inserting the words “in basic
education” immediately after the words “review
curriculum proposals”.

5. Section 5 of the principal Act is amended—

Amendment of
section 5 of Cap.
211A.

(a) by deleting subsection (2) and substituting therefor
the following new subsection —

(2) The Council shall consist of—

(a) a Chairperson appointed by the President;

(b) the Principal Secretary responsible for basic
education or a representative designated in
writing;

(c) the Principal Secretary responsible for finance or a
representative designated in writing;

(d) the Chief Executive Officer of the Kenya National
Educational Assessments Council or a
representative designated in writing;

(e) the Secretary to the Teacher’s Service
Commission or a representative designated in
writing;

(f) the Chief Executive Officer of the Kenya Institute

of Special Education or a representative designated in writing;

- (g) the Chief Executive Officer of the Kenya Teachers' Training College or a representative designated in writing; and
- (h) one person representing public universities;
- (i) two members, from the private sector, one of whom shall be from a private university; and
- (j) the Chief Executive Officer of the Institute who shall be an *ex officio* member and Secretary to the Council;
- (b) in subsection (4), by deleting the word "Director" and substituting therefor the word "Chief Executive Officer."

6. Section 14 of the principal Act is amended—

Amendment of
section 14 of Cap.
211A.

- (a) in the marginal note, by deleting the word "Director" and substituting therefor the word "Chief Executive Officer";
- (b) in subsection (1), by deleting the word "Director" and substituting therefor the word "Chief Executive Officer";
- (c) in subsection (2), by deleting the word "Director" and substituting therefor the word "Chief Executive Officer";
- (d) in subsection (3), by deleting the words "Director shall be the Chief Executive Officer of the Institute and" and substituting therefor the following words "Chief Executive Officer of the Institute".

7. Section 15 of the principal Act is amended by—

Amendment of
section 15 of Cap.
211A.

- (a) deleting the word "Director" and substituting therefor the word "Chief Executive Officer";
- (b) deleting the word "five" and substituting therefor the word "four".

8. Section 16 of the principal Act is amended by—

Amendment of
section 16 of Cap.

211A.

- (a) in the marginal note, by deleting the word "Director" and substituting therefor the words "Chief Executive Officer";
- (b) in subsection (1), by deleting the word "Director" and substituting therefor the word "Chief Executive Officer";
- (c) in subsection (2), by deleting the word "Director" wherever it occurs and substituting therefor the words "Chief Executive Officer".

9. The principal Act is amended by repealing section 17 and replacing it with the following new section—

Repeal and replacement of section 17 of Cap. 211A.

Committees and Panels.

17. (1) The Council may set up such committees and panels as may be required to perform such functions and discharge such responsibilities as it may determine:

Provided that the Council shall not delegate its principal mandate to a committee or panel.

(2) The Chief Executive Officer shall be the Secretary to a committee or panel established under subsection (1).

10. The principal Act is amended by repealing section 18.

Repeal of section 18 of Cap. 211A.

11. Section 23 of the principal Act is amended in paragraph (a), by deleting the word "Director" and substituting therefor the words "Chief Executive Officer."

Amendment of section 23 of Cap. 211A.

12. Section 29 of the principal Act is amended—

Amendment of section 29 of Cap. 211A.

- (a) by deleting the words "Council may" and substituting therefor the words "Cabinet Secretary may, in consultation with the Council";
- (b) by inserting the following new paragraph immediately after paragraph (a)—
 - (aa) accreditation of institutions and persons wishing to develop curricula and programmes for use in basic education in Kenya.

13. The principal Act is amended by inserting the

following new section immediately after section 29—

Transition.

30. Upon the commencement of this Act, any obligations of the Academic Committee and proceedings pending before it shall be deemed to be the obligations of the Council or proceedings pending before the Council and such proceedings shall be concluded as if they had been commenced before the Council.

MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and reasons

The principal object of the Bill is to amend the Kenya Institute of Curriculum Development Act Cap. 211A, to streamline the operations of the Institute.

Clause 1 of the Bill is the short title of the Act.

Clause 2 of the Bill proposes the amendment of section 2 of the Kenya Institute of Curriculum Development Act, ("the principal Act") to delete and substitute the definition of "Director" with "Chief Executive Officer" and include new definitions of "accreditation and differentiation."

Clause 3 of the Bill proposes the amendment of section 3 of the principal Act to replace the word "devolve" with "decentralize".

Clause 4 of the Bill provides for amendment of section 4 of the principal Act to replace the words "tertiary education and training" with the words "teacher education and training".

Clause 5 of the Bill proposes the amendment of section 5 of the principal Act to replace the membership of the Council.

Clause 6 of the Bill proposes for the amendment of section 14 of the principal Act to replace the word "Director" with "Chief Executive Officer".

Clause 7 of the Bill proposes for the amendment of section 15 of the principal Act to replace the word "Director" with "Chief Executive Officer".

Clause 8 of the Bill proposes for the amendment of section 16 of the principal Act to replace the word "Director" with "Chief Executive Officer".

Clause 9 of the Bill proposes the repeal and replacement of section 17 of the Act to provide for committees and panels.

Clause 10 of the Bill proposes the repeal of section 18 of the principal Act.

Clause 11 of the Bill proposes for the amendment of section 23 of the principal Act to replace the word "Director" with "Chief Executive Officer".

Clause 12 of the Bill proposes for the amendment of section 29 of the principal Act to provide for the Cabinet Secretary to consult the Council when making regulations.

Clause 13 of the Bill proposes for the insertion of a new section 30 to the principal Act to provide for transitional matters.

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

The Bill does not delegate legislative powers or limit any fundamental rights and freedoms.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution.

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

Dated 24th July, 2026.

KIMANI ICHUNG'WAH,
Leader of the Majority Party.

Section 2 of Cap 211A which it is intended to amend—

2. Interpretation

"Director" means the Director of the Institute appointed under section 14;

(2) The Cabinet Secretary shall by regulations provide for the manner of nominations under subsection (2)(f).

"tertiary" means all post-secondary school education and training programmes, but does not include any training undertaken in a university.

Section 3 of Cap 211A which it is intended to amend—

3. Establishment of the Institute

(4) The headquarters of the Institute shall be in Nairobi, but the Institute may devolve its functions to the counties progressively.

Section 4 of Cap 211A which it is intended to amend—

4. Functions of the Institute

The functions of the Institute shall be to—

- (a) advise the Government on matters pertaining to curriculum development;
- (b) evaluate, vet and approve, for application in Kenya, any local and foreign curricula and curriculum support materials in relation to the levels of education and training referred to in paragraph (d);
- (c) implement the policies relating to curriculum development in basic and tertiary education and training;
- (d) develop, review and approve programmes, curricula and curriculum support materials that meet international standards for—
 - (i) early childhood care, development and education;
 - (ii) pre-primary education;
 - (iii) primary education;
 - (iv) secondary education;
 - (v) adult, continuing and non-formal education;
 - (vi) teacher education and training;
 - (vii) special needs education; and

- (viii) technical and vocational education and training;
- (e) initiate and conduct research to inform curriculum policies, review and development;
- (f) collect, document and catalogue information on curricula, curriculum support materials and innovations to create a data bank and disseminate the information to educational institutions, learners and other relevant organisations;
- (g) print, publish and disseminate information relating to curricula for basic and tertiary education and training;
- (h) collaborate with other individuals and institutions in organizing and conducting professional development programmes for teachers, teacher trainers, quality assurance and standards officers and other officers involved in education and training on curriculum programmes and materials;
- (i) develop, disseminate and transmit programmes and curriculum support materials through mass media, electronic learning, distance learning and any other mode of delivering education and training programmes and materials;
- (j) promote equity and access to quality curricula and curriculum support materials;
- (k) promote appropriate utilisation of technology to enhance innovations and achievement of a knowledge based economy;

Section 5 Cap 211A which it is intended to amend—

5. Establishment of the Council

(1) There is established a council to be known as the governing Council of the Institute.

(2) The Council shall consist of —

- (a) a Chairperson who shall be appointed by the President;
- (b) the Principal Secretary in the ministry responsible for matters relating to education and training or a representative designated by the Principal Secretary;
- (c) the Principal Secretary responsible for the National Treasury or a representative designated by the Principal Secretary;
- (d) one person to represent the Kenya National Examinations Council;
- (e) one person to represent the Teachers Service Commission;

(f) the following members appointed by the Cabinet Secretary—

- (i) one person to represent public universities;
- (ii) one person from the private sector;
- (iii) one person nominated by the Kenya Primary Schools Head Teachers Association;
- (iv) one person nominated by Kenya Secondary Schools Head Teachers Association;

(g) the Director who shall be an ex officio member.

(2A) Any person who, immediately before the commencement of this section was a member of the Council shall be deemed to be a member of the reconstituted Council for the unexpired period of his or her term of service.

(3) Deleted by Act No. 18 of 2018, Sch.

(4) The Director of the Institute shall be the Secretary to the Council.

(5) The members referred to in subsection (2)(b) and (c) may designate an officer, in writing to represent them on the Council.

(6) The membership of the Council shall be such as to ensure that not more than two thirds will be of the same gender and shall reflect the regional and ethnic diversity of the people of Kenya.

Section 14 of Cap 211A which it is intended to amend—

14. Director of the Institute.

(1) There shall be a Director of the Institute who shall be appointed by the Council through a competitive, fair and open process.

(2) A person shall be qualified for appointment as a Director to the Institute if the person—

- (a) is a citizen of Kenya;
- (b) holds at least a postgraduate degree in education from a university recognized in Kenya;
- (c) has at least ten years' experience in management level in matters related to education; and
- (d) meets the requirements of Chapter Six of the Constitution.

Section 15 of Cap 211A which it is intended to amend—

15. Term of office of the Director

Subject to the provisions of this Act, the Director shall hold office for a term of five years and shall be eligible for re-appointment for one further term.

Section 16 of Cap 211A which it is intended to amend—

16. Removal of Director.

(1) The Director may be removed from office by the Council in accordance with the terms and conditions of service for—

- (a) inability to perform the functions of the office arising out of physical or mental incapacity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or neglect of duty;
- (d) violation of the Constitution; or
- (e) any other ground that would justify removal from office under the terms and conditions of service.

(2) Where the Director is to be removed under subsection (1), the Director shall be given—

- (a) not less than thirty days' notice of the allegations made against her or him; and
- (b) an opportunity to present her or his defence against the allegations.

Section 17 of Cap 211A which it is intended to repeal and replace—

17. Academic Committee and panels

(1) The Council shall have an Academic Committee, course panels, subject panels and a research, monitoring and evaluation panel to perform such functions and discharge such responsibilities as the Council may determine.

(2) The Director shall be the Secretary to the Academic Committee and the panels established under subsection (1).

Section 18 of Cap 211A which it is intended to repeal—

18. Composition and functions of the Academic Committee

(1) The Academic Committee shall consist of not fewer than thirteen and not more than twenty-three members appointed by the Council.

(2) The Director-General responsible for education shall be the Chairperson of the Academic Committee.

(3) The members of the Academic Committee referred to in subsection (1) shall include representatives from—

- (a) the Ministry responsible for education and training;
- (b) the Teachers Service Commission;
- (c) the Kenya National Examinations Council;
- (d) an institution mandated by law to train teachers for special needs education;
- (e) the schools of Education in a public and a private university respectively;
- (f) Kenya Federation of Employers;
- (g) Kenya Accountants and Secretaries National Examinations Board;
- (h) Micro and Small Enterprises Federation;
- (i) registered Teachers' Professional Associations;
- (j) registered Teachers' Unions;
- (k) umbrella bodies of registered religious organizations;
- (l) not more than four co-opted members not being public officers; and
- (m) one person nominated by the national parents association.

(4) The functions of the Academic Committee shall be to—

- (a) keep under constant review the curricula and curriculum support materials at different levels of education and training as provided for in section 4(e);
- (b) ensure the quality of educational programmes developed by the Institute;
- (c) co-ordinate and guide the activities of subject and course panels established under section 17;
- (d) review broad issues relating to curriculum and education policy and make recommendations to the Council; and
- (e) recommend for approval by the Council, educational programmes and curricula developed or vetted by the Institute.

(5) The Committee may co-opt not more than three other persons whose knowledge and experience it may find necessary for the performance of its functions.

(6) The Academic Committee may establish its own rules of procedure and shall submit the proceedings of its meetings to the Council for approval.

Section 23 of Cap 211A which it is intended to amend—

23. Common seal.

All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Council—

- (a) where they are required to be under seal, if sealed with the common seal of the Council and authenticated by the Chairperson or the Director;
- (b) where they are not required to be under seal, if executed in that behalf by a member authorized by the Council for that purpose;
- (c) a deed, instrument, contract or other document executed in accordance with subsection (b) shall be effective in law to bind the Council and its successors and may be varied or discharged in the same manner as that in which it was executed.

Section 29 of Cap 211A which it is intended to amend—

29. Regulations.

The Council may make regulations generally for the better carrying out of the provisions of this Act, and in particular to prescribe—

- (a) the procedures to be followed in the review and development of curricula and curriculum support materials;
- (b) information management systems for the Institute; and
- (c) anything which is required to be prescribed or is necessary or desirable for the better giving effect to this Act.

