

SPECIAL ISSUE

Kenya Gazette Supplement No. 199 (National Assembly Bills No. 53)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2026

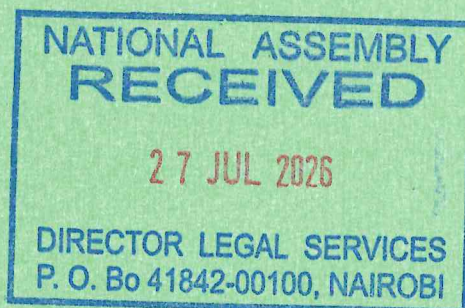
NAIROBI, 24th July, 2026

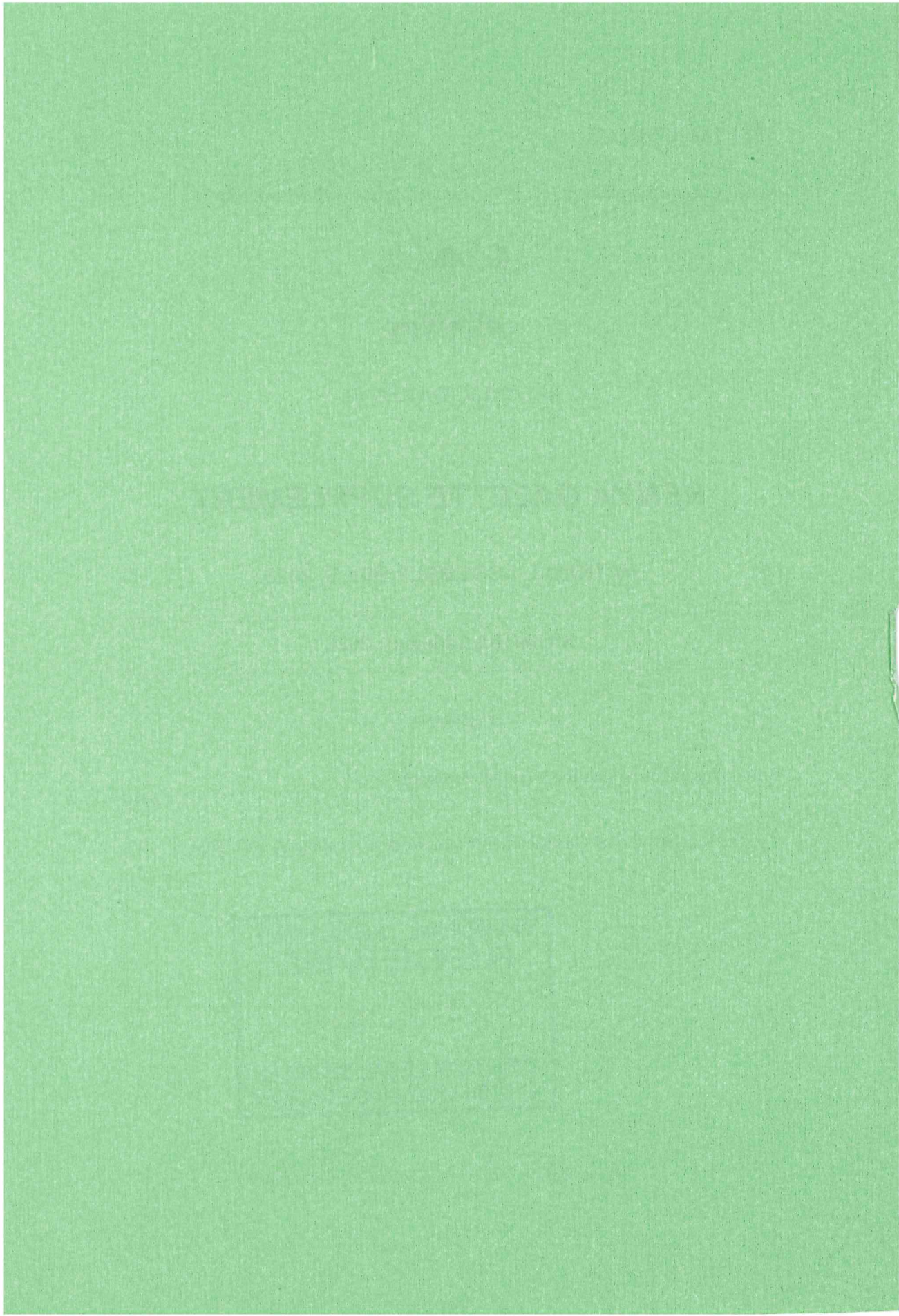
CONTENT

Bill for Introduction into the National Assembly—

PAGE

The Kenya National Qualifications Framework (Amendment) Bill, 2026 1951





THE KENYA NATIONAL QUALIFICATIONS FRAMEWORK (AMENDMENT) BILL, 2026

A Bill for—

AN ACT of Parliament to amend the Kenya National Qualifications Framework Act.

ENACTED by the Parliament of Kenya as follows—

1. This Act may be cited as the Kenya National Qualifications Framework (Amendment) Act, 2026.

Citation.

2. The Kenya National Qualifications Framework Act (in this Act referred to as the “principal Act”) is amended in section 2 by inserting the following new definition in proper alphabetical sequence—

Amendment to section 2 of Cap. 214.

“qualification awarding institution” means an institution which has a mandate to conduct examinations or assessments and award national qualifications.

3. The principal Act is amended by repealing section 5.

Repeal of section 5 of Cap. 214.

4. Section 8 of the principal Act is amended—

Amendment of section 8 of Cap. 214.

(a) by deleting paragraph (b) and substituting therefor the following new paragraph—

(b) develop the National Qualifications Framework;

(b) inserting the following new paragraph immediately after paragraph (b)—

(ba) register qualification awarding institutions.

5. Section 13 of the principal Act is amended in subsection (3) by inserting the following new paragraph immediately after paragraph (c)—

Amendment of section 13 of Cap. 214.

(ca) the registrar of qualifications awarding institutions;

6. The principal Act is amended by inserting the following new Part immediately after section 18—

Insertion of a new Part into Cap. 214.

PART IIA—THE NATIONAL QUALIFICATIONS FRAMEWORK

Development of
the National
Qualifications
Framework.

18A. (1) The Authority shall develop the National Qualifications Framework.

(2) The National Qualifications Framework shall be binding on all qualification awarding institutions.

Registration of
qualification
awarding
institutions.

18B. (1) A qualification awarding institution shall not award a national qualification unless the qualification awarding institution is registered to award that qualification under this Act.

(2) A qualification awarding institution that contravenes subsection (1) commits an offence and shall be liable upon conviction to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred thousand shillings or to both.

Establishment of
the database for
national
qualifications.

18C. (1) The Authority shall establish, maintain, update and publicise a database of national qualifications.

(2) The Authority shall include foreign qualifications that have been harmonised and recognised in the database maintained under subsection (1).

Notification of
Authority of
issuance of award.

18D. Every qualification awarding institution shall submit to the Authority a notice in the prescribed manner of the national qualifications awarded by the qualification awarding institution within ninety days after awarding the national qualification.

Access to
information on
database.

18E. The Authority shall enable access to the information in the database maintained under section 18C by Government agencies and stakeholders in accordance with the Data Protection Act and the Access to Information Act.

Cap. 411C.
Cap. 7M.

7. Section 29 of the principal Act is amended in subsection (2)—

- (a) by deleting paragraph (b) and substituting therefor the following new paragraph—
- (b) the registration of qualifications awarding institutions;

Amendment of
section 29 of Cap.
214.

(b) by inserting the following new paragraphs immediately after paragraph (b)—

(ba) the establishment of the National Qualifications Framework;

(bb) the establishment of the database of national qualifications.

8. Section 30 of the principal Act is repealed.

9. Section 68 of the Basic Education Act is repealed.

Repeal of section
30 of Cap. 214.
Consequential
amendment.
Cap. 211.

MEMORANDUM OF REASONS AND OBJECTS

Statement of objects and reasons

The principal object of the Bill is to amend the Kenya National Qualifications Framework Act to provide for the development of the National Qualifications Framework; the registration of qualifications awarding institutions; the establishment of establishment of the database of national qualifications; and for connected purposes.

Clause 1 of the Bill provides for the short title.

Clause 2 of the Bill amends section 2 of the Kenya National Qualifications Framework Act to insert the new definition of the term “qualification awarding institution”.

Clause 3 of the Bill repeals section 5 of the Kenya National Qualifications Framework Act.

Clause 4 of the Bill amends section 8 of the Kenya National Qualifications Framework Act to provide for the functions of the Kenya National Qualifications Authority to include the development of the National Qualifications Framework and the register qualification awarding institutions.

Clause 5 of the Bill amends section 13 of the Kenya National Qualifications Framework Act to provide for the functions of the Director-General of the Kenya National Qualifications Authority to include being the registrar of qualifications awarding institutions.

Clause 6 of the Bill inserts a new Part of the Kenya National Qualifications Framework Act to provide for the development of the National Qualifications Framework, the registration of qualification awarding institutions, the establishment of the database for national qualifications, the notification of Kenya National Qualifications Authority of issuance of award and access to information on database.

Clause 7 of the Bill amends section 29 of the Kenya National Qualifications Framework Act to provide for the making of regulations for the registration of qualifications awarding institutions, the establishment of the National Qualifications Framework and the establishment of the database of national qualifications.

Clause 8 of the Bill repeals and replaces section 30 of the Act which is a spent transitional provision.

Clause 9 of the Bill inserts a consequential amendment that repeals section 68 of the Basic Education Act, Cap. 211. The section refers to the

establishment of a National Qualification Framework by the Cabinet Secretary.

Statement on the limitation of fundamental rights and freedoms

The Bill does not limit fundamental rights and freedoms in any manner.

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

The Bill is a money Bill for the purposes of Article 114 of the Constitution as the enactment of this Bill will occasion expenditure of public funds.

Dated the 24th July, 2026.

KIMANI ICHUNG'WAH,
Leader of the Majority Party.

Section 2 of Cap. 214 which the Bill proposes to amend—

Interpretation

2. In this Act, unless the context otherwise requires—

“accreditation” means procedure by which institutions offering education and training are formally recognized as having met the standards set out in various laws of Kenya;

“Authority” means the Authority established under section 6(1);

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to education;

“Council” means the Council established under section 10(1);

“Director-General” means the Director-General of the Authority appointed under section 13(1); and

“National Qualifications Framework” means the national system for the articulation, classification, registration, quality assurance, and the monitoring and evaluation of national qualifications as developed in accordance with this Act;

“qualifications” means qualification in education and training as recognized by the Authority in accordance with this Act;

“training” means any activity aimed at imparting skills, knowledge, competences, values, attitudes and information towards assisting the recipient improve their performance.

Section 5 of Cap. 214 which the Bill proposes to amend—

Award of national qualification

5. (1) An institution shall not award national qualifications unless such an institution is—

(a) recognised or accredited in accordance with this Act; or

(b) a university accredited in accordance with the Universities Act.

(2) Any person who contravenes the provisions of this section commits an offence and shall be liable upon conviction to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred thousand shillings or to both.

Section 8 of Cap. 214 which the Bill proposes to amend—

Functions of the Authority

8. The functions of the Authority shall be to—

- (a) co-ordinate and supervise the development of policies on national qualifications;
- (b) develop a framework for the development of an accreditation system on qualifications;
- (c) develop a system for assessment of national qualifications;
- (d) develop and review interrelationships and linkages across national qualifications in consultation with stakeholders, relevant institutions and agencies;
- (e) maintain a national database of national qualifications;
- (f) publish manuals, codes and guidelines on national qualifications;
- (g) advise and support any person, body or institution which is responsible for the award of national qualifications;
- (h) publish an annual report on the status of national qualifications;
- (i) set standards and benchmarks for qualifications and competencies including skills, knowledge, attitudes and values;
- (j) define the levels of qualifications and competencies;
- (k) provide for the recognition of attainment or competencies including skills, knowledge, attitudes and values;
- (l) facilitate linkages, credit transfers and exemptions and a vertical and horizontal mobility at all levels to enable entry, re-entry and exit; and
- (m) conduct research on equalization of qualifications;
- (n) establish standards for harmonization and recognition of national and foreign qualifications;
- (o) build confidence in the national qualifications system that contributes to the national economy;
- (p) provide pathways that support the development and maintenance of flexible access to qualifications;
- (q) promote the recognition of national qualifications internationally; and
- (r) perform such other functions as may be provided under this Act.

Section 13 of Cap. 214 which the Bill proposes to amend—

Director-General

13. (1) The Council shall appoint a qualified person to be the

Director-General of the Authority through an open and competitive process.

(2) A person is qualified to be appointed as the Director- General, if that person—

- (a) holds a masters degree from a university recognised in Kenya;
- (b) has at least ten years professional experience in the management of a public or private institution; and
- (c) meets the requirements of Chapter Six of the Constitution.

(3) The Director-General shall be—

- (a) the chief executive officer of the Authority;
- (b) responsible for the day-to-day management of the Authority;
- (c) the custodian of the records of the Authority; and
- (d) responsible for—
 - (i) implementing the decisions of the Council;
 - (ii) facilitating, co-ordinating and ensuring the performance of the functions of the Authority;
 - (iii)implementing, with the approval of the Council, programmes of work for performance of the functions of the Authority;
 - (iv)the general discipline of the staff of the Authority; and
 - (v) the performance of such other duties as may be assigned by the Council, this Act or any other written law.

(4) The Director-General shall hold office for a period of five years and shall be eligible for appointment for one further period of five years.

(5) The Council may only remove the Director-General from office for—

- (a) inability to perform the functions of the office because of physical or mental incapacity;
- (b) gross misconduct;
- (c) bankruptcy; or
- (d) incompetence.

(6) Before the Council removes a Director-General from office, the Council shall—

- (a) inform the Director-General in writing of the intended removal

and the reasons therefor; and

- (b) give the Director-General an opportunity to challenge the intended removal in person or represented by an advocate.

(7) Where the office of the Director-General falls vacant, the Council shall appoint a senior officer of the Authority to serve in an acting capacity until the vacancy is filled.

Section 29 of Cap. 214 which the Bill proposes to amend—

Regulations

29. (1) The Cabinet Secretary may, in consultation with the Council, make regulations generally for the better carrying out of the purposes of this Act.

(2) Despite subsection (1), regulations made under this section may provide for—

- (a) the imposition and payment of fees;
- (b) the manner and forms of accreditation or certification of qualification awarding bodies;
- (c) the responsibilities and control of the staff of the Authority; or
- (d) any other matter prescribed under this Act.

Section 30 of Cap. 214 which the Bill proposes to amend—

Transitional Clause

30. The Examining Bodies which were established under various Acts immediately prior to the coming into force of this Act shall continue to operate and shall seek accreditation under this Act from the Authority within a period of two years from the date of the commencement of the Act.

Section 68 of Cap. 211 which the Bill proposes to amend—

68. National Qualifications Framework

(1) The Cabinet Secretary shall in collaboration with the relevant stakeholders develop the National Qualifications Framework to—

- (a) set the standards and benchmarks for qualifications and competencies including skills, knowledge, attitudes and values;
- (b) define the levels of qualifications and competencies;
- (c) provide for the recognition of attainment or competencies including skills, knowledge, attitudes and values; and

- (d) facilitate linkages, credit transfers and exemptions and a vertical and horizontal mobility at all levels to enable entry, re-entry and exit.

(2)The Principal Secretary shall oversee the administration and implementation of the National Qualifications Framework with regard to basic education under this Act or any other written law.