

*Kenya Gazette Supplement No. 63 (National Assembly Bills No. 16)*



REPUBLIC OF KENYA

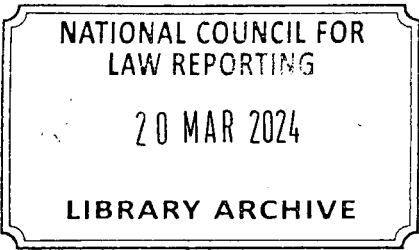
**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2024**

**NAIROBI, 8th March, 2024**

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# THE UNIVERSITIES (AMENDMENT) BILL, 2024

## A Bill for

### AN ACT of Parliament to amend the Universities Act

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

1. This Act may be cited as the Universities (Amendment) Act, 2024.

Short title.

2. The Second Schedule to the Universities Act, 2012 is amended—

Amendment of  
Second Schedule  
to No. 42 of 2012.

(a) in paragraph 1 by inserting the words “within ninety days from the date of occurrence of the vacancy” immediately after the word “appointment”;

(b) by deleting paragraph 2 and substituting therefor the following new paragraph—

“2. The Senate shall forward three names of persons identified under paragraph 1 to the President who shall, within twenty one days, appoint one person as the Chancellor;”

(c) by inserting the following new paragraph immediately after paragraph 2—

“2A. In the performance of its function, the Senate shall ensure that at least one person shall be of either gender;” and

(d) by deleting paragraph 3.

## **MEMORANDUM OF OBJECTS AND REASONS**

The principal object of this Bill is to amend the Universities Act, 2012 in order to allow the President to appoint Chancellors of Public Universities devoid of the current procedures set in the Act. The current procedures as stipulated in the second schedule discourage persons applying for the position of a chancellor because the procedure is long and time consuming especially for the targeted persons who are normally eminent personalities of the country who may not have time to go through the entire procedure.

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

The Bill does not delegate legislative powers neither does it limit any fundamental rights and fundamental freedoms.

### **Statement that the Bill does not concern county governments**

The Bill does not concern county governments in terms of Article 110 (1) (a) of the Constitution.

### **Statement that the Bill is a money Bill within the meaning of Article 114 of the Constitution**

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

Dated the 15th November, 2023.

OWEN YAA BAYA,  
*Member of Parliament.*

***The Second Schedule to No. 42 of 2012 which is proposed to be amended—***

**SECOND SCHEDULE**

[Section 38(1), Act No. 18 of 2018, Sch.]

1. Where a vacancy occurs in the office of the Chancellor of a public university, the senate of that university shall, in consultation with key stake holders, identify suitable persons for appointment.
2. Five names shall be proposed to the Senate and submitted to the Public Service Commission for shortlisting and identification of three suitable candidates, ranked in order of merit.
3. The Public Service Commission shall forward the names of the top three candidates to the Cabinet Secretary for onward transmission to the President, who shall pick one of the persons for appointment as the Chancellor.
4. The appointment of the Chancellor by the President shall be by notice published in the Gazette.

