



THE REPUBLIC OF KENYA
LAWS OF KENYA

THE TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING BILL, 2024

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SCHEDULES

THE TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING BILL, 2024

[Date of assent: 2024]

[Date of commencement: 2024]

A Bill for

An Act of Parliament to provide for the establishment of technical and vocational education and training system; to provide for the governance and management of institutions offering technical and vocational education and training; to provide for coordinated assessment and certification; to institute a mechanism for promoting access and equity in training; to assure standards, quality and relevance; and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY	
Short title	1. This Act may be cited as the Technical and Vocational Education and Training Act, 2024
Interpretation	2. In this Act unless the context otherwise requires —
	" Accreditation " means the process by which the Authority formally recognizes and confirms by certification that an institution ensures that the program complies with the National Qualifications Framework has met and continues to meet the standards of academic, training and competence excellence set by the Authority in accordance with the provisions of this Act;
	" Artisan Certificate " A qualification awarded by a qualification awarding institution at KNQF Level 4
	" Assessor " means a person who evaluates trainee’s competence and related knowledge in a range of tasks to ensure that competence demonstrated meets the requirements of the qualification;

	" Authority " means the Technical and Vocational Educational and Training Authority established under section 8;
	" Board of the Authority " means the Board of the Authority appointed under section 10;
	" Board of the Trainers Council " means the Board of the Trainers Council appointed under section 66;
	" Board of the Certification Council " means the Board of the Certification Council members appointed under section 80;
	" Board of the School " means the members of the Board of the Kenya School of TVET appointed under section 98;
	" Board of Management " means Board of Management of a public institution appointed in accordance with section 41;
	" Cabinet Secretary " means the Cabinet Secretary for the time being responsible for matters related to technical and vocational education and training;
	" Certificate " means a document issued by – A Qualification Awarding Institution and designated as such showing results and qualification obtained by a particular trainee in an assessment.
	" Certification Council " means the Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 78;
	" County Executive Committee Member " means the County Executive Committee Member at the time being responsible for matters relating to vocational education and training;
	" Diploma " means a Qualification issued by – A Qualification Awarding Institution and designated as such showing results and qualification obtained by a particular trainee in an assessment on the KNQF Level 6
	" Institution " means a national polytechnic, the Kenya School of TVET, a technical and vocational college, a vocational training centre;

	“Micro qualification” means a statement of attainment certificate awarded;
	“National polytechnic” means an institution offering training and categorized as such under section 23 (1) (c);
	“Part qualification” – means an assessed unit of learning that is registered as part of the qualification
	“Qualification Awarding Institution” - means an education institution with a legal mandate to develop or assess and award national qualifications in line with the KNQF
	“School” means the Kenya School of Technical and Vocational Education and Training established under section 96;
	“Technical and Vocational College” means an institution offering training and categorized as such under section 24 (1) (b);
	“Trainer” An individual registered under section 77 of this act.
	“Trainee” means a person undergoing training;
	“Trainers Council” means the Technical and Vocational Trainers Service Council;
	“Training” means technical, industrial and vocational education and training leading to an award of various KNQF levels of qualifications.
	“Verifier” is a person who monitors and confirms the work of assessors involved in a particular qualification to ensure correctness, accuracy and consistency of assessment activities and decisions made;
	“Vocational Training Centre” means an institution offering training and categorized as such under section 24(1)(a) and (b)
Objects of the Act	<p>3. The objects of the Act are to provide for:</p> <ul style="list-style-type: none"> (a) the development and regulation of technical and vocational education training system; (b) the governance and management of institutions; (c) the framework of employment and management of trainers; (d) the framework of provision of quality and relevance training;

Application	<p>4. This Act applies to—</p> <ul style="list-style-type: none"> (a) National and County Governments (b) Institutions (c) Trainers (d) Trainees (e) Any other person or body involved in the provision of TVET services.
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PART II- ROLE OF NATIONAL GOVERNMENT AND COUNTY GOVERNMENTS

Role of National Government	<p>5. The National Government shall—</p> <ul style="list-style-type: none"> (a) formulate policies, norms and standards for the provision of technical vocational education and training; (b) develop a national TVET system; (c) register training institutions and trainers; (d) Promote access, equity and inclusivity in TVET; (e) Develop curriculum, Assess and certify trainees (f) ensure adequate staff in training institutions; (g) ensure adequate infrastructure, training and training materials in training institutions; (h) ensure quality and relevance in training; (i) promote professional development and capacity building for trainers and managers of institutions; (j) provide capacity building and technical assistance to county governments in the provision of training; (k) ensure access to training for trainees with special needs; (l) give appropriate incentives to train and complete TVET programs (m) Mobilize resources for development of Technical Vocation Education and Training (n) engage stakeholders in the provision of TVET; and (o) Establish such structures to facilitate achievement of TVET mandate as shall be deemed necessary from time to time. (p) enforce compliance with this Act;
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Role of County Governments	<p>6. The County Governments shall—</p> <ul style="list-style-type: none"> (a) Implement policies and curriculum for vocational training centres (b) implement quality assurance and standards in training at vocational training centres; (c) ensure adequate infrastructure and training materials in vocational training centers; (d) in collaboration with the national government, ensure access to vocational training centers for trainees with special needs; (e) collaborate with National Government in the provision of vocational education and training; (f) engage stakeholders in the provision of vocational education and training; (g) Mobilize resources for development of Vocational training centres; (h) ensure compliance of this Act
Inter- Governmental Relations	<p>7. (1) Subject to Article 189 of the Constitution, in the discharge of their respective functions the National and County Government may enter into an intergovernmental framework of cooperation, consultation and coordination in the provision of TVET.</p> <p>(2) Subject to Article 186 and 187 of the Constitution, either level of government may, upon request and with agreement of the other level, transfer to the other their respective functions relating to provision of TVET in accordance with the Intergovernmental Relations Act.</p>
PART III- SYSTEM, STRUCTURE, GOVERNANCE AND MANAGEMENT IN TVET	
Promotion of Technical and Vocational Education and Training	<p>8. The Cabinet Secretary shall in consultation with the relevant Cabinet Secretaries, County Governments, industry and other stakeholders promote Technical Vocational Education and Training in Kenya as established by the Kenya National Qualification Framework.</p>
Technical and Vocational Education and	<p>9. (1) The system shall be so structured as to enable trainees to access Technical and Vocational Education and training at any level in a sequence, and at a pace that may be commensurate with the individual trainee's physical,</p>

Training System.	<p>mental and intellectual abilities and the resources available.</p> <p>(2) The curriculum shall be designed so as to operate within a framework which leads to lifelong education and training, and which facilitates-</p> <ul style="list-style-type: none"> (i) innovativeness and creativity; (ii) continuation of training for improvement of professional qualifications and updating of knowledge, skills and understanding; (iii) complementary education for those receiving technical, vocational and education training in the form of on-the-job training or other training in institutions or other facilities. (iv) the special needs of persons with disability, minorities and marginalized groups. (v) Notwithstanding the provisions of any other written law for the time being in force, the design and development of curricula for training in TVET institutions shall be done by the respective institution as recognized by this Act. (vi) All curricula developed shall be aligned to the approved occupational standards. <p>(3) The Cabinet Secretary in consultation with stakeholders shall make Regulations prescribing an appropriate structure for education and training.</p> <p>(4) The Cabinet Secretary shall upon advice of stakeholders' advice the government on the promotion of environmental protection education for sustainable development.</p> <p>(5) Competency Assessment and Certification;</p> <ul style="list-style-type: none"> a) Notwithstanding the provisions of any other written law for the time being in force, competence assessment and certification shall be done by Qualification Awarding Institutions (QAI) as recognized under the KNQF Act. b) Assessment and certification of candidates shall comply with the assessment requirements set out in the Occupational Standards (OS) and as per the system for assessment of National Qualifications. c) Qualification awarding institutions shall issue certificate of competence and national certificates upon attainment of competencies.
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	<p>d) Dual certification may be issued where a training institution has a co-training with the industry.</p> <p>e) Notwithstanding the provisions in 9 (5) d qualification awarding institution may issue a certificate on behalf of the industry</p> <p>(6) The curriculum developed under subsection (2) should be aligned to the National CAT system</p>
Categories of TVET institutions	<p>10) Institutions shall be organized under the following categories;</p> <p>a) Home craft centres which will train, promote, protect and propagate indigenous skills and knowledge</p> <p>b) Vocational Training Centres, which shall offer courses up to craft certificate or its equivalent as per KNQF</p> <p>c) technical and vocational colleges, which shall offer programmes up to Diploma or its equivalent on KNQF;</p> <p>d) National Polytechnics, which shall offer up to Higher National Diploma; and</p> <p>e) Such other categories as the Cabinet Secretary may create.</p>
Director General for TVET	<p>11 (1) There shall be a Director General -TVET appointed through an open and competitive process under the Public Service Commission Act in consultation with the cabinet secretary.</p> <p>(2) The Director General - TVET appointed under subsection (1) shall be responsible for;</p> <p>(a) Implementation of TVET Policy</p> <p>(b) Coordination and supervision of TVET Technical staff</p> <p>(c) Management of TVET Institutions and programs</p> <p>(d) Maintenance of TVET Standards and quality assurance</p> <p>(e) Oversee administration of TVET MIS and communication Technology</p> <p>(f) Facilitate auditing of all TVET institution</p> <p>(g) Advise the principal secretary on TVET matters</p> <p>(h) Coordinate capacity building and development of Technical officers, TVET principals, BOM and trainers</p> <p>(i) Supervision of handing and taking over of institutions in consultation</p>

	<p>with the Technical and Vocational Trainers Service Council</p> <p>(j) Oversee proper management of institutional building, proper and construction</p> <p>(k) Monitoring and evaluation of TVET Programs</p> <p>(l) Management of co-curricular activities, sports, skills competitions, TVET fairs</p>
Decentralization	12 There shall be such regional and county offices to facilitate the provision of TVET
Organs of Governance	<p>13. The principal organs to govern the respective public institutions registered under this Act shall be as follows;</p> <p>(a) Boards of Management for vocational training centers;</p> <p>(b) Boards of Management for Technical Training Institutes;</p> <p>(c) Boards of Management for National Polytechnics;</p>
Boards of Management	<p>14. (1) The Cabinet Secretary shall appoint a Board of Management for institutions established under Section 13 (b) and (c).</p> <p>(2) The County Executive Committee member shall appoint the Board of Management for vocational training centers established under section 13 (a)</p> <p>(3) A Board of Management may establish such Committees as the Board of Management may consider appropriate to perform such functions and discharge such responsibilities as the Board of Management may deem necessary.</p> <p>(4) Without prejudice to the provisions of sub section (3), the Board of Management of an institution established under section 13 shall establish a risk and audit committees in addition to a maximum of three other committees:</p> <p>(5) The organs may set up such committees and assign such responsibilities as it may deem fit.</p>
Composition of Boards of Management of national polytechnics	<p>15. (1) the Board of Management of a National Polytechnic shall comprise of -</p> <p>(a) a chairperson appointed by the President;</p> <p>(b) Principal Secretary responsible for technical and vocational training or</p>

	<p>a designated representative;</p> <p>(c) Principal Secretary responsible for Finance or a designated representative;</p> <p>(d) six other persons, appointed by the Cabinet Secretary, with at least six years experience in—</p> <ul style="list-style-type: none"> (i) leadership and management; (ii) financial management; (iii) technology; (iv) industry; (v) engineering; (vi) information communication technology; or (vii) law; <p>(e) the Principal shall be the <i>ex officio</i> member</p> <p>(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members appointed under sub-section (1) (d) shall be published in the <i>Gazette</i>.</p>
Qualification for appointment as chairperson of a Board of Management of a national polytechnic	<p>16. A person shall be qualified for appointment as chairperson of the Board of Management of a national polytechnic if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least fifteen years' experience in technical and vocational education and training, five of which must have been in senior leadership and management; (d) meets the requirements of Chapter 6 of the Constitution.
Qualification for appointment as member of a Board of Management of a national polytechnic	<p>17. A person shall be qualified for appointment as a member of the Board of Management of a national polytechnic if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least ten years' experience in technical and vocational education and training, human resource, law and finance; and (d) meets the requirements of Chapter 6 of the Constitution.

Composition of Boards of Management of technical and vocational colleges	<p>18. The membership of the Board of Management shall comprise—</p> <ul style="list-style-type: none"> (a) a chairperson appointed by the cabinet secretary (b) Principal Secretary or his/her representative in the Ministry responsible for technical and vocational Education and training; (c) County Governor or his/her representative of the county within which the institution is located; and (d) six other persons appointed by the cabinet secretary with at least six years experience in— <ul style="list-style-type: none"> (i) leadership and management; (ii) Financial management; (iii) technology; (iv) industry; (v) engineering; (vi) Information communication technology.
Qualification for appointment as chairperson of a Board of Management of a technical and vocational college	<p>19. A person shall be qualified for appointment as chairperson of the Board of Management of a Technical and Vocational College, if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a diploma from a recognized institution in Kenya; (c) has at least ten years' experience in technical and vocational education and training, five of which must have been in senior leadership and management; (d) meets the requirements of Chapter 6 of the Constitution.
Qualification for appointment as member of a Board of Management of a technical and vocational college	<p>20. A person shall be qualified for appointment as a member of the Board of Management of a Technical and Vocational College if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a diploma from a recognized institution in Kenya; (c) has at least six years' experience in technical and vocational education and training, human resource, law and finance; and (d) meets the requirements of Chapter 6 of the Constitution
Composition of Boards of vocational	<p>21. The Board of Management of Vocational Training Centres shall comprise –</p>

training centres	<ul style="list-style-type: none"> (a) a chairperson appointed by the Governor; (b) County chief officer or his/her representative responsible for vocational training centres; (c) six persons, appointed by the County Executive Committee member in charge of vocational training with at least six years experience in - <ul style="list-style-type: none"> (i) leadership and management; (ii) financial management; (iii) technology; (iv) industry; (v) engineering; (vi) information communication technology; (vii) law (d) two <i>ex officio</i> members <ul style="list-style-type: none"> (i) Ward Administrator (ii) the Principal who shall be the secretary to the Board of management
Qualification for appointment as chairperson of the Board of Management of a vocational training centre	<p>22. A person shall be qualified for appointment as chairperson of the Board of Management of a Vocational Training Centre, if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a certificate from a recognized institution in Kenya; (c) has at least six years' experience in technical and vocational education and training, three of which must have been in senior leadership and management; (d) meets the requirements of Chapter 6 of the Constitution.
Qualification for appointment as member of the Board of Management of a vocational training centre	<p>23. A person shall be qualified for appointment as a member of the Board of Management of a Vocational Training Centre if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds at least KNQF Level 2 or its equivalent from a recognized institution in Kenya; or (c) has at least three years' working experience in the field of technical

	<p>and vocational education and training; and</p> <p>(d) meets the requirements of Chapter 6 of the Constitution.</p>
Term limit	<p>24. The chairperson and members of the Boards of Management of a National Polytechnic, Technical and Vocational College and Vocational Training Centre shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance.</p>
Conduct of business of Boards of Management	<p>25. The conduct of business of Boards of Management of a National Polytechnic, Technical and Vocational College and Vocational Training Centre shall be set out in the First Schedule.</p>
Functions of the Boards of Management	<p>26. (1) The functions of the Boards of Management of a National Polytechnic, Technical and Vocational College and Vocational Training Centre shall include—</p> <ul style="list-style-type: none"> (a) develop and implement the institution's strategic plan; (b) administer and manage the resources of the institutions; (c) preparing annual estimates of revenue and expenditure for the institution and incurring expenditure on behalf of the institutions (d) implement and maintain the standards, quality and relevance in education and training in the institutions as set out under this Act; (e) mobilize resources for the institutions; (f) collaborate with other relevant stakeholders. (g) overseeing the conduct of education and training in the institutions in accordance with the provisions of this Act and any other written law; (h) determining the fees payable and prescribing conditions under which fees may be remitted in part or in whole in accordance with the guidelines developed under the provisions of this Act; (i) approving collaboration or association with other institutions and industries in and outside Kenya subject to applicable laws; and (j) recruitment of non-training staff. <p>(2). Notwithstanding the forgoing, National Polytechnics shall perform functions as stipulated in their respective legal orders</p>
Principal	<p>27. (1) The Principal of an institution shall be the academic and administrative</p>

	<p>head of the institution.</p> <p>(2) The Principal shall be:</p> <ul style="list-style-type: none"> (a) responsible for the day-to-day administration and management of the institution; (b) responsible for executing the decisions of the institution; (c) custodian of all records of the institution; and (d) undertaking any other duties, as assigned by the Board of Management.
Open, Distance and E-Learning	<p>28. (1) Every institution may institutionalize, with the approval of the Authority, Open, Distance and E-Learning to facilitate access to training in accordance with the standards prescribed under this Act.</p> <p>(2) Notwithstanding the generality of subsection (1), a institution shall—</p> <ul style="list-style-type: none"> (a) put in place a robust information, communication and technology infrastructure; (b) Digitize learning support materials to facilitate eLearning; (c) employ such Qualified Staff to support ODeL learning (d) put in place a Student Support Systems; and (e) formulate Policies to guide in the delivery of ODeL learning <p>(3) The Cabinet Secretary shall prescribe the manner of conduct of Open, Distance and e-learning.</p>
Collaboration and linkages	<p>29. An institution shall consider and approve collaborations, partnerships, networks and linkages with other bodies or organizations in furtherance of the purpose for which the institution is established.</p>
Continuity and transition	<p>30. (1) A national polytechnic may enter into association, collaboration or linkages with a local or foreign university for purposes of facilitating transition learning to university education and vice versa.</p> <p>(2) The Certification Council shall provide for a credit accumulation and transfer aligned to the framework developed by the National Qualification.</p> <p>(3) The national polytechnic and certification council shall put in place such measure as may be necessary to implement National recognition of prior learning policy.</p>

Establishment, Management and Mainstreaming Special Needs in TVET institutions.	<p>31. Subject to the Constitution and the provisions of this Act, the Cabinet Secretary shall;</p> <ul style="list-style-type: none"> a. Mainstream special needs in all TVET institutions. b. Ensure implementation of Persons with Disability Act and Special Needs Policy.
Regulations in special needs institutions	<p>32. (1) The Cabinet Secretary may make regulations for the establishment and management of TVET institutions offering training to trainees with special needs.</p> <p>(2) Notwithstanding subsection (1), the Cabinet Secretary shall make regulations to –</p> <ul style="list-style-type: none"> (a) provide for the training and progression of trainees with special needs through the training system; (b) Develop standards and requirements on conduct of TVET institutions providing training to trainees with special needs. (c) prescribe the curriculum delivery approach to be used in respect to special needs education and training; (d) Monitor and evaluate the implementation of special needs education and training in TVET to inform policy. <p>(3) The curriculum and assessment shall be adapted to suit the special needs of the trainees.</p>
PART IV:	PLACEMENT AND FINANCING OF TVET TRAINEES
Establishment of Placement and Financing Committee	<p>33. (1) There shall be established a committee to be known as the TVET Admissions and Financing Committee.</p> <p>(2) The objects and purpose of the committee shall be to admit, mobilize and provide funds to be used in financing TVET training.</p> <p>(3) The committee shall draw funds from;</p> <ul style="list-style-type: none"> i. Monies provided by Parliament ii. Such sums of money as may be received by the committee in form of donations iii. Such sums of money as may be specifically designated for the committee out of its own fund

	<p>iv. Income generated by investment</p> <p>v. Endowments, grants and gifts from sources designated for the committee.</p> <p>There shall be paid out of the Fund any expenditure approved by the committee and incurred in connection with the administration of the committees activities.</p>
Membership of the Committee	<p>34. The Committee shall be managed by a Board which shall consist of—</p> <p>(a) a chairperson appointed by Cabinet secretary;</p> <p>(b) the Principal Secretary in the Ministry responsible for technical and vocational education;</p> <p>(c) the Principal Secretary in the Ministry responsible for finance;</p> <p>(d) Representative of Council of Governors;</p> <p>(e) One Principal representing National Polytechnics;</p> <p>(f) One Principal representing Technical Vocational Colleges;</p> <p>(g) One Manager representing Vocational Training centers</p> <p>(h) One Principal representing Special Needs TVET</p> <p>(i) One independent members appointed by the Cabinet Secretary</p> <p>(j) One designated Technical officer to be secretary and head of secretariat</p>
Function of the Committee	<p>35. The main function of the Committee shall be to;</p> <p>(a) Place trainees into TVET institutions;</p> <p>(b) disburse funds to trainees and TVET institutions in accordance with criteria prescribed by the Cabinet Secretary;</p> <p>(c) in consultation with the TVET institutions, establish the maximum differentiated unit cost for the programmes offered;</p> <p>(d) receive funds for purposes of the Committee from</p>

	<p>the Government, donors, and from any other source;</p> <p>(e) provide advice on placement and disbursement criteria for the Committee utilization;</p> <p>(f) Build the capacity of TVET institutins to generate income.</p>
PART IV – STANDARDS, QUALITY AND RELEVANCE IN TRAINING	
Establishment of the Authority	<p>36. (1) There is hereby established an Authority to be known as Technical and Vocational Education and Training Authority.</p> <p>(2) The Authority shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name, be capable of—</p> <ul style="list-style-type: none"> (a) suing and being sued; (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of both movable and immovable property; (c) borrowing money; and (d) doing or performing all other acts necessary for the proper performance of its functions under this Act which may be lawfully done or performed by a body corporate.
Functions of the Authority	<p>37. (1) The functions of the Authority shall be to—</p> <ul style="list-style-type: none"> (a) Regulate TVET and industrial training. (b) Collect, examine and publish information relating to quality assurance and standards in training; (c) accredit institutions and programmes, in line with the KNQF; (d) submit reports to the Cabinet Secretary (e) develop standards and guidelines for regulating TVET and industrial training; (f) undertake quality assurance of institutions and programmes; (g) recognize foreign technical and vocational education institutions and accreditation of programmes; (h) undertake research training, publish and disseminate the findings; (i) collaborate with stakeholders on matters relating to training; (j) Advise and make recommendations to the Cabinet Secretary on all

	<p>matters related to accreditation and quality assurance;</p> <p>(k) advise the county governments on matters relating to training in Vocational Training Centers.</p> <p>(l) Ensure the maintenance of standards, quality and relevance in all aspects of training, including training by or through open, distance and electronic learning;</p> <p>(m) Do anything incidental or conducive to the performance of any of the preceding functions</p>
Board of the Authority	<p>38. (1) The Authority shall be governed by a Board which shall consist of —</p> <p>(a) a chairperson who shall be appointed by the President;</p> <p>(b) the Principal Secretary responsible for technical and vocational education and training or a designated representative;</p> <p>(c) the Principal Secretary responsible for finance or a designated representative;</p> <p>(d) the Chief Executive Officer of the Tertiary Education Placement and Funding Authority or a designated representative;</p> <p>(e) The Chief Executive Officer of the Kenya National Qualification Authority</p> <p>(f) The Chief Executive Officer of the Council of Governors or his/her representative</p> <p>(g) One person nominated by the federation of Kenya Employers</p> <p>(h) Two persons appointed by the Cabinet secretary in charge of matters TVET who have proven knowledge and experience in technical and vocational education and training, legal, industry and ICT.</p> <p>(i) The Chief Executive Officer of the Authority who shall be an <i>ex-officio</i> member.</p> <p>(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members under sub-section (1) (h) shall be published in the <i>Gazette</i> by the cabinet secretary responsible for matters TVET.</p>
Qualifications of the Chairperson of the	<p>39. A person shall be qualified for appointment as chairperson of the Board under section 38 (1) (a) if that person—</p>

Board	<ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least fifteen years experience in technical and vocational education and training, five of which must have been in senior leadership and management; and (d) meets the requirements of Chapter 6 of the Constitution.
Qualifications of the members of the Board	<p>40. A person shall be qualified for appointment as a member of the Board under Section 38 (1) (h), if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least ten years experience in technical and vocational education and training, governance, sciences, finance, technology, engineering or other relevant professional experience; and (d) meets the requirements of Chapter 6 of the Constitution.
Powers of the Board of the Authority	<p>41. The Board of the Authority shall have powers to -</p> <ul style="list-style-type: none"> (a) administer the property and funds of the Authority; (b) open and operate a bank account subject to approval by the National Treasury; (c) in consultation with the Cabinet Secretary determine fees payable in the execution of the functions of the Authority; (d) receive any gifts, grants or donations or endowments made to the Authority or any other monies in respect of the Authority and make disbursements therefrom; (e) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Authority;
Term limit	<p>42. The chairperson appointed under section 38 (1) (a) and members of the Board appointed under section 38 (1) (h) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance</p>
Vacancy of office of	<p>43. (1) A chairperson appointed under section 38 (1) (a) and members of the</p>

Chairperson and Members of the Board of the Authority	<p>Board appointed under section 38 (1) (h) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of the other members, to the Cabinet Secretary.</p> <p>(2) A chairperson appointed under section 38 (1) (a) and members of the Board appointed under section 38 (1) (h) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as the case may be -</p> <ul style="list-style-type: none"> (a) has been absent from three consecutive meetings of the Board without permission of the Chairperson or in the case of a Chairperson without permission of the President; (b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (c) is found to have been in breach of chapter six of the Constitution; (d) is adjudged bankrupt or enters into a composition, scheme or arrangement with creditors; or (e) is incapacitated by physical or mental illness from discharging their duties.
Conduct of business and affairs of the Board of the Authority.	44. The provisions of the First Schedule shall apply with respect to conduct of the business and affairs of the Board of the Authority.
Committees of the Board of the Authority.	45. The Board of the Authority may establish such committees as may be appropriate to perform such functions and discharge such responsibilities as it may determine.
Chief Executive Officer of the Authority	<p>46. (1) There shall be a Chief Executive Officer of the Authority who shall be appointed by the Board of the Authority through an open, transparent and competitive process.</p> <p>(2) A person shall be qualified for appointment as the Chief Executive Officer of the Authority if the person—</p> <ul style="list-style-type: none"> (a) holds a degree in education, technology, engineering from a university recognized in Kenya;

	<p>(b) holds a masters degree from a university recognized in Kenya;</p> <p>(c) has at least ten years working experience five of which shall be in senior management in a public or private institution; and</p> <p>(d) meets the requirements of Chapter Six of the Constitution.</p> <p>(3) The Chief Executive Officer of the Authority shall hold office for a term of three years on such terms and conditions of employment as the Board of the Authority may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.</p> <p>(4) The Chief Executive Officer shall be:</p> <p>(a) responsible for the day-to-day administration and management of the Authority;</p> <p>(b) responsible for executing the decisions of the Board;</p> <p>(c) custodian of all records of the Authority; and</p> <p>(d) undertaking any other duties, as assigned by the Board of the Authority</p>
Vacancy of Office of the Chief Executive Officer of the Authority	<p>47. (1) The Chief Executive Officer of the Authority may at any time resign from office by notice in writing to the Board of the Authority.</p> <p>(2) The Chief Executive Officer may be removed from office if the person is –</p> <p>(a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;</p> <p>(b) found to have been in breach of Chapter Six of the Constitution;</p> <p>(c) adjudged bankrupt or enters into a composition, scheme or arrangement with creditors; or</p> <p>(d) is unable to perform the functions of office by reason of physical or mental incapacity;</p>
Corporation Secretary of the Authority	<p>48. (1) There shall be a Corporation Secretary of the Authority who shall be appointed by the Board of the Authority through a competitive process.</p> <p>(2) A person qualifies to be appointed as a Corporation Secretary if the person–</p> <p>(a) holds a degree from a recognized university;</p> <p>(b) has eight years' minimum experience;</p>

	<p>(c) is a registered Certified Public Secretary in good standing with the Institute of Certified Public Secretaries of Kenya; and</p> <p>(d) meets the requirements of Chapter Six of the Constitution</p> <p>(3) The Corporation Secretary shall–</p> <p>(a) provide guidance to the Board of the Authority on its role and responsibilities; and</p> <p>(b) (b) assist the Chief Executive Officer in facilitating the Board to carry out its functions.</p>
Staff of the Authority	<p>49. The Board of the Authority may appoint staff as may be necessary for the proper discharge of the functions of the Authority under this Act or any other written law, upon such terms and conditions of service as the Board of the Authority may determine.</p>
Delegation	<p>50. (1) The Board of the Authority may, by resolution generally or in any particular case, delegate in writing, to a committee or any officer, member of staff or agent of the Authority, the exercise of any of the powers or the performance of any of the functions or duties of the Authority under this Act.</p> <p>(2) A delegation under subsection (1) shall not prevent the Board of the Authority from exercising the power in question.</p> <p>(3) A delegation under this section -</p> <p>(a) shall be subject to such condition as the Board may impose;</p> <p>(b) shall not divest the Board of the Authority of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and</p> <p>(c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the Board of the Authority.</p>
Standards.	<p>51. (1) For purposes of assuring standards, quality and relevance in training the Authority shall–</p> <p>(a) set and publish standards and benchmarks for conduct of training in Kenya;</p> <p>(b) ensure the maintenance of standards, quality and relevance in all</p>

	<p>aspects of training;</p> <p>(c) at the beginning of each year and thereafter each quarter of the year, publish the list of institutions accredited to undertake TVET in Kenya.</p> <p>a. The ministry shall ensure availability of infrastructure, equipment and staff to maintain quality and standards</p>
Internal quality assurance systems and mechanisms	<p>52. Every institution accredited to operate in Kenya shall–</p> <p>(a) develop quality assurance policy, systems and mechanisms;</p> <p>(b) develop and implement an internal quality assurance policy;</p> <p>(c) establish a functional internal quality assurance structure;</p> <p>(d) appoint qualified and adequate staff in the quality assurance unit; and</p> <p>(e) develop tools for internal quality assurance.</p> <p>(2) Every institution shall prepare a detailed self-assessment report and submit to the Authority, in a prescribed format, reporting on the status of implementation of internal quality assurance systems and mechanisms provided for under sub section (1).</p>
Quality and standards audit	<p>53. (1) The Authority may, from time-to-time conduct quality and standards audit with or without notice, the conduct of training in an institution.</p> <p>(2) The quality and standards audit under subsection (1) shall include an assessment of the following–</p> <p>(a) Leadership, management and administration</p> <p>(b) Physical facilities</p> <p>(c) Human resource</p> <p>(d) Training delivery</p> <p>(e) Programme evaluation</p> <p>(f) Trainee support</p> <p>(g) Research, innovation and cooperation</p> <p>(3).The quality and standards audit report generated under subsection (1) shall be submitted to the Cabinet Secretary or CECM in charge of education</p>
Quality assurance officers	<p>54. (1) The Authority shall appoint quality assurance and standards officers to undertake quality assurance.</p> <p>(2) The officers appointed under sub section (1) shall have power to collect</p>

	<p>evidence and in doing so have power to:</p> <ul style="list-style-type: none"> (a) inspect the infrastructure, equipment, programmes; (b) assess the delivery of training by trainers; (c) require any person responsible for the management of an institution to produce any documents relating to the management of the institution; (d) require any trainer to produce any materials or documents relating to training at the institution; (e) take such photographs or video recording of the premises and persons as may be deemed necessary; (f) summon a person who the officer reasonably believes to be acquainted with the training offered in the institution to produce documents or avail such information as the officer may deem necessary. <p>(3) an officer appointed under subsection (1) shall prepare and share a Quality assurance Report upon conducting quality assurance to the assessed institution.</p> <p>(4) Any person who obstructs the Officer appointed under subsection (1) from discharging their functions commits an offence</p>
Suspension of programs or an institution	<p>55. (1) The Authority may suspend an institution where:</p> <ul style="list-style-type: none"> (a) an institution offers a programme for which it is not accredited; (b) an institution issues an award for a programme for which it is not accredited; (c) an institution is operating in a different location from that specified in the license ; (d) an institution engages the services of trainers that are not licensed by the Technical Trainers Council; (e) an institution fails to meet curriculum and assessment standards; (f) an institution's physical facilities have been declared unsuitable for training by the relevant bodies; and (g) the governance structure of an institution is not in accordance

	<p>with the provisions of this Act.</p> <p>(2) Where the Authority suspends an institution, the Authority shall issue a notice of rectification specifying–</p> <ul style="list-style-type: none"> (a) the ground for the suspension; (b) the period within which the institution is to make rectification. <p>(3) Where an institution has been suspended under this section, it shall cease offering training.</p> <p>(4) An institution which contravenes subsection (3) commits an offence and shall be liable, on conviction, to a fine not exceeding one million shillings.</p>
PART VI – ACCREDITATION	
Authority to offer training	<p>56.(1) A person shall only offer training in Kenya, upon accreditation under this Act.</p> <p>(2) An institution or a person that intends to offer any training or programme in Kenya in technical, industrial and vocational education and or any training leading to an award of a certificate, diploma and higher diploma shall apply to the Authority for accreditation.</p> <p>(3) An application under subsection (2) shall be in the prescribed form and shall be accompanied by the prescribed fee.</p> <p>(4) The following are eligible to apply for accreditation for an institution:</p> <ul style="list-style-type: none"> (a) a person or entity intending to sponsor an institution; and (b) a body corporate having as one of its objects the provision of training. <p>(5) An institution in Kenya shall be accredited by an instrument of accreditation in the form of a Certificate of Accreditation under this Act.</p> <p>(6) Any person who purports to offer training without accreditation under this Act, commits an offense and shall be liable upon conviction, to a fine of not less than two million shillings, or to imprisonment for a term of not less than three years, or to both.</p>
Powers and authority under provisional	<p>57. An institution operating on provisional registration under section 26 and has not been granted training license for any programme shall :-</p>

registration	<p>(a) not offer training; and</p> <p>(b) enter into such mentorship programmes with an accredited institution for purposes of approval of programme to be offered and graduation of trainees admitted in the programmes;</p>
Accreditation of programmes offered by foreign institutions	<p>58. (1) An accredited foreign institution shall not offer training in Kenya unless the programmes have been accredited by the Authority.</p> <p>(2) A foreign institution which intends to offer training in Kenya, shall apply to the Authority for accreditation in the prescribed form.</p> <p>(3) A foreign institution may apply to the Authority in the prescribed form for approval, to enter into an arrangement with an institution accredited for the purposes of offering joint training.</p> <p>(4) Any person or institution who contravenes this section commits an offence and shall be liable, on conviction, to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years or to both</p>
Publication of an accredited institution	<p>59. (1) The Cabinet Secretary shall, by notice in the Gazette, publish the accredited institution in case of a Technical and Vocational College or a Legal order in case of a National Polytechnic.</p> <p>(2) The County Executive Committee member shall, by notice in the Gazette, publish the accredited institution in case of a Vocational Training Centre.</p>
Variation of an accreditation certificate	<p>60. (1) The Cabinet Secretary may, on the recommendation of the Authority, vary accreditation certificate if in the opinion of the Cabinet Secretary, the variation is in the best interest of the institution;</p> <p>(2) A variation under subsection (1) may be commenced by the Authority upon request by an institution or on its own motion in consultation with the institution.</p> <p>(3) A variation under subsection (1) may issue where there is need to —</p> <p>(a) align the particulars of the accreditation certificate to the Constitution or any written law;</p> <p>(b) to reflect changes in name, governance or location;</p> <p>(c) in the case of a private institution, to reflect changes in ownership of</p>

	<p>the institution;</p> <p>(d) reflect changes in programmes;</p> <p>(e) align the accreditation certificate to the best interests of technical and vocational education in Kenya.</p> <p>(4) A decision for the variation by the Cabinet Secretary shall be made without unreasonable delay, but in any case, within three months from the date a recommendation for variation is made by the Authority.</p> <p>(5) If an accreditation certificate is varied under subsection (1), the Cabinet Secretary shall forthwith cause a notice of variation to be published in the Gazette, and the variation shall come into effect on such date as may be specified in the notice.</p> <p>(6) Notwithstanding subsection (5), the variation of the accreditation certificate shall not affect the validity of any academic award or decisions made by the institution before variation.</p>
Recognition of foreign institutions	<p>61. (1) Any foreign institution which intends to offer training in Kenya, shall apply for accreditation in accordance with this Act.</p> <p>(2) A foreign institution may apply to the Board of the Authority in the prescribed form for accreditation;</p> <p>(3) Any foreign institution approved under subsection (1) must first submit proof of accreditation from its country of origin to undertake training in Kenya; and</p> <p>(4) Any person or institution that contravenes this section commits an offence and shall be liable, on conviction, to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years or to both</p>
Display of instruments of accreditation	<p>62. (1) Every institution shall conspicuously display all its instruments of accreditation on its premises</p> <p>(2) Where any instrument of accreditation is revoked under this Act, the institution concerned shall, within fourteen days of such revocation, return the original instrument of accreditation to the Authority subject to the provisions of this Act.</p>
Revocation of an	<p>63. (1) The Cabinet Secretary and the County Executive Committee member</p>

accreditation certificate	<p>may by gazette notice revoke an accreditation certificate issued to an institution on recommendation of the Authority.</p> <p>(2) The Cabinet Secretary may, in consultation with the Authority make regulation generally for the better carrying out of the purpose of this section.</p>
Closure of an institution	<p>64. (1) The Authority may close an institution whose accreditation has been revoked under section 63.</p> <p>(2) Where the Authority revokes the accreditation of an institution the Authority shall issue a seven (7) day notice of closure</p>
PART VII: TECHNICAL AND VOCATIONAL TRAINERS SERVICE COUNCIL	
Establishment of the Trainers Council	<p>65. (1) There shall be established a Technical and vocational Trainers Service Council which shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name, be capable of:</p> <ul style="list-style-type: none"> (a) suing and being sued; (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property; (c) receiving, investing, borrowing and lending money; and (d) doing or performing any such things or acts which may lawfully be done by a body corporate.
Functions of the Trainers Council	<p>66. (1) The Trainers Council shall be responsible for employment and human resource management of Trainers offering services at public institutions.</p> <p>(5) without prejudice to the generality of sub section (1) the Trainers Council shall: -</p> <ul style="list-style-type: none"> (a) recruit and register trainers; (b) assign trainers to serve in any public institution; (c) designate trainers as principals; (d) promote and transfer trainers; (e) exercise disciplinary control over trainers; (f) terminate the employment of trainers; (g) conduct performance appraisal of trainers; (h) manage the payroll of trainers;

	<ul style="list-style-type: none"> (i) facilitate the professional development of trainers; and (j) Advise the Cabinet Secretary and the county governments on matters regarding employment of trainers. (k) Do anything incidental or conducive to the performance of any of the preceding functions
Composition of the Board of the Trainers Council	<p>67. (1) There shall be a Board of the Trainers Council, which shall consist of the following members:</p> <ul style="list-style-type: none"> (a) a Chairperson, who shall be, appointed by the President; (b) the Principal Secretary responsible for Vocational and Technical Education and training or a designated representative; (c) the Principal Secretary responsible for Finance or designated representative; (d) two representatives nominated by the Council of Governors; (e) one representative of the principals' of TVET Institutions (f) three independent members appointed by the Cabinet Secretary; and (g) the Chief Executive Officer of the Trainers Council who shall be an <i>ex-officio member</i>. <p>(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members appointed under sub-section (1) (f) shall be published in the <i>Gazette</i>.</p>
Qualifications of the Chairperson of the Board of Trainers Council	<p>68. A person shall be qualified for appointment as chairperson of the board of the Trainers Council under section 67 (1) (a) if that person—</p> <ul style="list-style-type: none"> (a) Is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least fifteen years' experience in technical and vocational education and training, five of which must have been in senior leadership and management; (d) meets the requirements of Chapter 6 of the Constitution.
Qualifications of	<p>69. A person shall be qualified for appointment as a member of the Board of</p>

members of the Board of the Trainers Council	<p>the Trainers Council under Section 67 (1) (f), if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least ten years' experience in technical and vocational education and training, human resource, law and finance; and (d) meets the requirements of Chapter 6 of the Constitution.
Powers of the Board of Trainers Council	<p>70. The Board of the Trainers Council shall have powers to -</p> <ul style="list-style-type: none"> (a) administer the property and funds of the Technical Trainers Service Council; (b) open and operate a bank account subject to approval by the National Treasury; (c) in consultation with the Cabinet Secretary determine fees payable in the execution of the functions of the Technical Trainers Service Council; (d) receive any gifts, grants or donations or endowments made to the Trainers Council or any other monies in respect of the Technical Trainers Service Council and make disbursements therefrom; and (e) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Trainers Council.
Term limit	<p>71. (1) The chairperson appointed under section 67 (1) (a) and members of the Trainers Council appointed under section 67 (1) (d) (e) and (f) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance.</p>
Vacancy of office of chairperson and members of the Board of the Trainers Council	<p>72. (1) A chairperson appointed under section 67 (1) (a) and members of the Trainers Council appointed under section 67 (1) (d), (e) and (f) may at any time resign from office, in the case of the Chairperson by notice in writing to the appointing authority.</p> <p>(2) A chairperson appointed under section 67 (1) (a) and members of the Board of the Trainers Council appointed under section 67 (1) (d) (e) and (f) may be removed from office, in the case of the by the appointing authority, as</p>

	<p>the case may be -</p> <ul style="list-style-type: none"> (a) has been absent from three consecutive meetings of the Trainers Council without permission of the appointing authority; (b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (c) is found to have been in breach of chapter six of the Constitution; (d) is adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or (e) is unable to perform the functions of office by reason of physical or mental incapacity;
Chief Executive Officer of the Technical Trainers Service Council	<p>73. (1) There shall be a Chief Executive Officer of the Technical and Vocational Trainers Service Council who shall be appointed by the Board of the Trainers Council through an open, transparent and competitive process.</p> <p>(2) A person shall be qualified for appointment as the Chief Executive Officer of the Technical and Vocational Trainers Service Council if the person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a masters degree from a university recognized in Kenya; (c) has at least ten years' working experience in management of a public or private institution; and (d) meets the requirements of Chapter Six of the Constitution. <p>(3) The Chief Executive Officer of the Technical and Vocation Trainers Council shall hold office for a term of three years on such terms and conditions of employment as the Board of the Trainers Council may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.</p> <p>(4) The Chief Executive Officer of the Technical and Vocational Trainers Council shall be:</p> <ul style="list-style-type: none"> (a) responsible for the day-to-day administration and management of affairs and staff of the Trainers Council; (b) responsible for executing the decisions of the Board of the Trainers Council;

	<p>(c) custodian of all records of the Trainers Council; and</p> <p>(d) undertaking any other duties, as assigned by the Board of the Trainers Council.</p>
Vacancy of office of the Chief Executive of the Trainers Council	<p>74. (1) The Chief Executive Officer of the Trainers Council may at any time resign from office by notice in writing to the Board of the Trainers Council.</p> <p>(2) A Chief Executive Officer of the Trainers Council may be removed from office if the person is –</p> <ul style="list-style-type: none"> (a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (b) found to have been in breach of Chapter Six of the Constitution; (c) adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or (d) incapacitated by physical or mental illness from performing their duty.
Corporation Secretary of the Trainers Council	<p>75. The provisions relating to the appointment of the Corporation Secretary of the Technical Trainers Service Council as set out in section 20 shall apply, <i>in a similar manner as</i>, to the appointment of the Corporation Secretary of the Authority.</p>
Staff of Trainers Council	<p>76. The Board of the Technical and Vocational Trainers Council may appoint staff as may be necessary for the proper discharge of its functions under this Part or any other written law, upon such terms and conditions of service as the Board of the Technical and Vocational Trainers Council may determine.</p>
Delegation by the Board of the Trainers Council	<p>77. The provisions relating to the delegation of powers by the Board of the Authority as set out in section 50 shall apply, <i>mutatis mutandis</i>, to the delegation of powers of the Board of the Trainers Council.</p>
Registration of trainers	<p>78. (1) Persons shall not offer training without being registered by the Trainers Service Council.</p> <p>(2) A person who intends to offer training shall apply to the Trainers Service Council for registration in the prescribed form.</p>

	(3) A person who contravenes this section commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.
Qualification of a trainer	79. A trainer shall: - (a) possess requisite competencies; (b) possess a higher qualification other than that of the curriculum being implemented; and (c) be licensed by the Trainers Service Council.
Deregistration of Trainers	80. The Trainers' Service Council may, after an inquiry, deregister a Trainer — (a) who has obtained registration through fraudulent means; (b) who has been convicted for a criminal offence for a period of more than six months; or (c) as a result of disciplinary proceedings instituted under this Act.
Reinstatement to the Register	81. Where a trainer has been deregistered under section 80 the Trainers Service Council may re- register the trainer on the direction of the Tribunal or Court.
Training License	82. (1) A trainer shall not offer training without a license issued by the Trainers Service Council. (2) A registered Trainer who intends to offer training shall apply to the Trainers' Service Council for a license in the prescribed form. (3) A person who contravenes subsection (1) commits an offense and is liable upon conviction for a fine not exceeding one hundred thousand or imprisonment for a term not exceeding one year or to both
Validity of a License	83. (1) A license issued under section 82 shall be valid unless revoked under the provisions of this Act.
PART VIII – TVET CURRICULUM DEVELOPMENT, ASSESSMENT AND CERTIFICATION COUNCIL	
Establishment of the Technical and Education and	84. (1) There shall be established a Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council. (2) The Technical and Vocational Education and Training Curriculum

<p>Training for Curriculum Development Assessment Certification Council</p>	<p>Development, Assessment and Certification Council shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name, be capable of:</p> <ul style="list-style-type: none"> (a) suing and being sued; (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property; (c) receiving, investing, borrowing and lending money; and (d) (d) doing or performing any such things or acts which may lawfully be done by a body corporate with the approval of the Cabinet Secretary.
<p>Functions of the Technical and Vocational Education and Training for Curriculum Development, Assessment and Certification Council</p>	<p>85. (1) The functions of the of Curriculum Development Assessment and Certification Council shall be to—</p> <ul style="list-style-type: none"> (a) Undertake research, publish and disseminate findings. Undertake design and development of curricula for the training institutions', assessment and competence certification; (b) Undertake design and development of industrial training curricula; (c) Register, regulate and accredit sector skills advisory committees (d) Register Assessors and verifiers (e) Receive, consider, develop and review curriculum proposals; (f) Develop national occupational competency standards for development of National Qualifications; (g) Align national occupational competency standards to international standards for global recognition; (h) Develop standards to guide preparation of national curriculum; (i) Associate or collaborate with any other body or organization within or outside Kenya as the council may consider desirable or appropriate and in furtherance for the purpose of which the council is established; (j) Make rules with respect to such Assessment and competence Certification (k) Register assessors, verifiers and curriculum developer and assessment centers; (l) Assess and certify candidates who meets the requirements of competence assessment

	<p>(m) Promote and carry out research relating to curriculum development, examination, competence assessment and certification;</p> <p>(n) Promote the publication of materials relevant to curriculum development, competence assessment and certification;</p> <p>(o) Identify and advice the national and county governments on matters pertaining Curriculum Development, Assessment and Certification</p> <p>(p) Preparing a catalog of skills type range and depth of skills;</p> <p>(q) Coordinate establishment of industry advisory committees for the different sectors for QAIs;</p> <p>(r) Promote linkages between education, training and the labor market in consultation with stakeholders, relevant institutions and agencies;</p> <p>(s) Design and develop curriculum , assess and award certificates with provision for recognition of prior learning and flexibility of transition between programmes</p> <p>(t) Integrate labor market information into skills development;</p> <p>(u) Harmonizing curricula and Competence Certification</p> <p>(v) Assessing industrial training, testing occupational skills and awarding certificates including Government trade test certificates;</p> <p>(w) Charging for goods and services offered by the Council;</p> <p>(y) Carry out anything that is incidental or conducive to the performance of any of the preceding functions</p> <p>(z) Advise the Cabinet Secretary and county governments on matters regarding Curriculum Development Assessment and Certification</p>
Composition of the Board of the Technical and Vocation Education and Training Curriculum Development, Assessment and	<p>86. (1) There shall be a Board of the Certification Council that shall consist of—</p> <p>(a) a chairperson appointed by the President;</p> <p>(b) the Principal Secretary responsible for technical and vocational education and training or a designated representative;</p> <p>(c) the Principal Secretary responsible for Finance or a designated representative;</p> <p>(d) the Chief Executive Officer of the Authority or a designated</p>

Certification Council	<p>representative;</p> <p>(e) Three independent members appointed by the Cabinet Secretary with a background in training and relevant industry experience as follows:</p> <ul style="list-style-type: none"> (i) leadership and management; (ii) financial management; (iii) technology; (iv) industry; (v) engineering; (vi) information communication technology; or (vii) law; <p>(f) The CEO of Council of Governors or their representatives</p> <p>(g) The Principal secretary Ministry of Labour or his/her representatives</p> <p>(h) the Chief Executive Officer of the Certification Council who shall be an <i>ex-officio</i> member.</p> <p>(2) The appointment of the Chairperson of the Board of the Certification Council under sub-section (1) (a) and members of the Board of the Certification Council under sub-section (1) (e) shall be published in the <i>Gazette</i>.</p>
Qualifications of the chairperson of the Board of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	<p>87. A person shall be qualified for appointment as chairperson of the Board of the Certification Council under section 86 (1) (a) if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenyan; (b) holds a degree from a university recognized in Kenya; (c) has at least fifteen years’ experience in technical and vocational education and training, five of which must have been in senior leadership and management; and (d) meets the requirements of Chapter 6 of the Constitution.
Qualifications of members of the Board of the	<p>88. A person shall be qualified for appointment as a member of the Board of the Trainers Council under Section 86 (1) (e), if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya;

Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	<p>(b) holds a degree from a university recognized in Kenya;</p> <p>(c) has at least ten years' experience in technical and vocational education and training, human resource, law and finance; and</p> <p>(d) meets the requirements of Chapter 6 of the Constitution</p>
Powers of the Board of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	<p>89. The Board of the Certification Council shall have powers to -</p> <p>(a) administer the property and funds of the Certification Council;</p> <p>(b) open and operate a bank account subject to approval by the National Treasury;</p> <p>(c) in consultation with the Cabinet Secretary determine fees payable in the execution of the functions of the Certification Council;</p> <p>(d) receive any gifts, grants or donations, endowments or any other monies in respect of the Certification Council and make disbursements therefrom; and</p> <p>(e) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Certification Council.</p>
Term limit	<p>90. The chairperson of the Board of the Certification Council appointed under section 86 (1) (a) and members of the Board of the Certification Council appointed under section 86 (1) (e) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance</p>
Vacancy of office of Chairperson and members of the Board of the Technical and Vocation Education and Training	<p>91. (1) A chairperson of the Board of the Certification Council appointed under section 86 (1) (a) and members of the Board of the Certification Council appointed under section 86 (1) (e) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of the other members, to the Cabinet Secretary.</p> <p>(2) A chairperson of the Board of the Certification Council appointed under section 86 (1) (a) and members of the Board of the Certification Council</p>

Curriculum Development, Assessment and Certification Council	<p>appointed under section 86 (1) (e) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as the case may be -</p> <ul style="list-style-type: none"> (a) has been absent from three consecutive meetings of the Board without permission of the Chairperson or in the case of a chairperson without permission of the President; (b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (c) is found to have been in breach of chapter six of the Constitution; (d) is adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or (e) is incapacitated by physical or mental illness and is unable to perform their duty.
Chief Executive Officer of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	<p>92. (1) There shall be a Chief Executive Officer of the Certification Council who shall be appointed by the Board of the Certification Council through an open, transparent and competitive process.</p> <p>(2) A person shall be qualified for appointment as the Chief Executive Officer of the Certification Council if the person—</p> <ul style="list-style-type: none"> (a) holds a masters degree from a university recognized in Kenya; (b) has at least ten years working experience in management of a public or private institution; and (c) meets the requirements of Chapter Six of the Constitution. <p>(3) The Chief Executive Officer of the Certification Council shall hold office for a term of three years on such terms and conditions of employment as the Board of the Certification Council may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.</p> <p>(4) The Chief Executive Officer of the Certification Council shall be:</p> <ul style="list-style-type: none"> (a) responsible for the day-to-day administration and management of affairs and staff of the Certification Council; (b) responsible for executing the decisions of the Certification Council; (c) custodian of all records of the Certification Council; and

	(d) undertaking any other duties, as assigned by the Board of the Certification Council.
Vacancy of office of the Chief Executive Officer of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	<p>93. (1) The Chief Executive Officer of the Certification Council may at any time resign from office by notice in writing to the Board of the Certification Council .</p> <p>(2) A Chief Executive Officer of the Certification Council may be removed from office if the person is–</p> <ul style="list-style-type: none"> (a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (b) found to have been in breach of Chapter Six of the Constitution; (c) adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or (d) incapacitated by physical or mental illness.
Corporation Secretary of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	94. The provisions relating to the appointment of the Corporation Secretary of the Board of the Authority as set out in sections 48 shall apply, in a similar manner pursuant to the appointment of the Corporation Secretary of the Certification Council.
Staff of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	95. The Board of the Certification Council may appoint staff as may be necessary for the proper discharge of its functions under this Part or any other written law, upon such terms and conditions of service as the Board of the Certification Council may determine

Delegation by the Board of the Technical and Vocation Education and Training Curriculum Development, Assessment and Certification Council	96. The provisions relating to the delegation of powers by the Board of the Authority as set out in sections 50 shall apply, <i>mutatis mutandis</i> , to the delegation of powers by Certification Council.
Curriculum development	97. (1) The Certification Council shall develop a framework for purposes of curriculum development and implementation in reference in KNQF and other relevant laws
Review of curriculum	98. The framework will be reviewed after 5 years or on need basis taking into account the emerging trends and demands in industry and national policies.
Certification	99. (1) The certification council shall award the qualification as stipulated in the KNQF framework.
Assessment	100. The Certification Council shall develop and implement an assessment framework in accordance with the standards and guidelines prescribed by the Authority from time to time.
Registration of Verifiers	101. (1) A person who intends to offer the services of a verifier shall apply to the Council for registration in the prescribed form (2) the Council shall register a person to offer the service of a verifier either as an internal or external verifier. (3) The Council shall register a person as an internal or external Verifier if the person has met the standards set by the Authority and trained by the Certification Council
PART IX – THE KENYA SCHOOL OF TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING	
Establishment of the School	102. (1) There is established the Kenya School of Technical and Vocational Education and Training.

	<p>(2) The school shall be a body corporate with perpetual succession and a common seal and shall in its name be capable of—</p> <ul style="list-style-type: none"> (a) suing and being sued; (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property; (c) receiving, investing, borrowing and lending money; and (d) doing or performing any such things or acts which may lawfully be done by a body corporate with the approval of the Cabinet Secretary. <p>(3) The headquarters of the school shall be in Nairobi.</p> <p>(4) The Cabinet Secretary may, from time to time in consultation with the Board of the School and by Order in the Gazette, establish campuses of the school at any place in Kenya.</p>
Functions of the School	<p>103. The functions of the school shall be to—</p> <ul style="list-style-type: none"> (a) provide in-service and pre-service training for trainers and TVE practitioners; (b) design and develop curriculum, assess and award certificates with provision for recognition of prior learning and flexibility of transition between programmes; (c) conduct professional development for trainers and offer capacity building to persons engaged in management of institutions; (d) collaborate with local or foreign universities offering masters and doctorate of philosophy in technical education; (e) provide research services in education, training and professional development of trainers; (f) initiate technological development and innovation that supports economic, social, cultural, scientific and technological disciplines; (g) collaborate with stakeholders in the execution of its functions; and (h) Advise the Cabinet Secretary and county governments on matters regarding education, training and professional development of trainers.

Composition of the Board of the School	<p>104.(1) There shall be a Board of the School, which shall consist of the following members:</p> <ul style="list-style-type: none"> (a) a chairperson who shall be appointed by the President (b) the Principal Secretary responsible for technical and vocational education and training or his representative; (c) the Principal Secretary responsible for finance or his designated representative; (d) The CEO Council of Governors or his/her representative (e) one person nominated by the Kenya Engineering Technology Registration Board; (f) One principal representing TVET institutions (g) Three independent members appointed by the Cabinet Secretary in any of the following areas: <ul style="list-style-type: none"> (i) leadership and management; (ii) financial management; (iii) technology; (iv) industry; (v) engineering; (vi) information communication technology; or (vii) law; (h) the Chief Executive Officer of the School who shall be an <i>ex-officio</i> member. <p>(2)The appointment of the Chairperson of the Board of the School under sub-section (1) (a) and the independent members of the Board of the School under sub-section (1) (g) shall be published in the <i>Gazette</i>.</p>
Qualifications of the Chairperson of the Board of the School	<p>105. A person shall be qualified for appointment as chairperson of the Board of the School under section 104 (1) (a) if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least fifteen years’ experience in technical and vocational education and training five of which must have been in senior

	<p>leadership and management; and</p> <p>(d) meets the requirements of Chapter 6 of the Constitution.</p>
Qualification of members of the Board of the School	<p>106. A person shall be qualified for appointment as a member of the Board of the School under Section 104 (1) (g) if that person—</p> <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds a degree from a university recognized in Kenya; (c) has at least ten years’ experience in technical and vocational education and training or legal or financial matters; and (d) meets the requirements of Chapter 6 of the Constitution.
Powers of the Board of the School	<p>107. The Board of the School shall have powers to -</p> <ul style="list-style-type: none"> (a) manage, control and administer the assets of the the school in such manner and for such purposes as best promotes the purposes for which the school is established; (b) open and operate a bank account subject to approval by the National Treasury; (c) receive gifts, grants, donations or endowments made to the school or any other monies in respect of the school and make disbursements therefrom in accordance with the provisions of the law; (d) in consultation with the Cabinet Secretary, determine the fees payable by trainees and the conditions under which fees is payable; (e) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Board of the School; and (f) regulate the conduct and discipline of trainees of the school.
Term limit	<p>108. The chairperson of the Board of the School appointed under section 104 (1) (a) and members of the Board of the School appointed under section 104 (1) (g) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance</p>
Vacancy of office of	<p>109. (1) A chairperson of the Board of the School appointed under section 104</p>

<p>chairperson and members of the Board of the School</p>	<p>(1) (a) and members of the Board of the School appointed under section 104 (1) (g) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of the other members, to the Cabinet Secretary.</p> <p>(2) A chairperson of the Board of the School appointed under section 104 (1) (a) and members of the Board of the School appointed under section 104 (1) (g) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as the case may be -</p> <ul style="list-style-type: none"> (a) has been absent from three consecutive meetings of the Board of the School without permission of the Chairperson or in the case of a chairperson without permission of the President; (b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months; (c) is found to have been in breach of chapter six of the Constitution; (d) is adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or (e) is incapacitated by physical or mental illness and is unable to perform their duty.
<p>Chief Executive Officer of the School</p>	<p>110. (1) There shall be a Chief Executive Officer of the School who shall be appointed by the Board of the School following an open, transparent and competitive process.</p> <p>(2) The Chief Executive Officer of the school shall hold office for a term of three years and shall be eligible for re-appointment for one further term of a period not exceeding three years</p> <p>(3) The Chief Executive Officer of the School shall be—</p> <ul style="list-style-type: none"> (a) responsible for the day-to-day administration and management of affairs and staff of the school; (b) responsible for executing the decisions of the Board of the School;

	<p>(c) custodian of all records of the school; and</p> <p>(d) undertaking any other duties, as assigned by the Board of the School.</p>
Vacancy of office of the Chief Executive Officer of the School	<p>111. (1) The Chief Executive Officer of the School may at any time resign from office by notice in writing to the Board of the School.</p> <p>(2) The Chief Executive Officer of the School may be removed from office if the person –</p> <p>(a) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;</p> <p>(b) is in breach of chapter six of the Constitution;</p> <p>(c) is adjudged bankrupt or enters into a composition scheme or arrangement with creditors; and</p> <p>(d) is incapacitated by physical or mental illness from discharging their duties.</p>
Corporation Secretary of the School	112. The provisions relating to the appointment of the Corporation Secretary of the Authority as set out in sections 48 shall apply, <i>mutatis mutandis</i> , to the appointment of the Corporation Secretary of the School.
Staff of the School	113. The Board of the School may appoint staff as may be necessary for the proper discharge of its functions under this Part or any written law, upon such terms and conditions of the service as the Board of the School may determine.
Delegation by the Board of the School	114. The provisions relating to the delegation by the Board of the Authority as set out in section 50 shall apply, <i>mutatis mutandis</i> , to the delegation by the Board of the School.
PART X– FINANCIAL PROVISIONS	
Financial year	115. The financial year of the public institutions, the Authority, the Trainers Council, the Certification Council and the School shall be the period of twelve months ending on the thirtieth June in every year.
Funds of public national polytechnics, public technical and	<p>116. The funds of the Authority, the Trainers Council, the Certification Council, the School, a public National Polytechnic and public Technical Vocational College, shall consist of—</p> <p>(a) money appropriated by Parliament;</p>

<p>vocational colleges, the Authority, the Trainers Council, the Certification Council and the School</p>	<ul style="list-style-type: none"> (b) sums payable pursuant to this Act; (c) sums payable pursuant to any gift; (d) money vested in the public National Polytechnic, the public Technical Vocational College, the Authority, the Trainers Council, the Certification Council and the School; and (e) money from any other source provided for under any written law.
<p>Funds of public vocational training centres</p>	<p>117. The funds of the public Vocational Training Centres shall consist of—</p> <ul style="list-style-type: none"> (a) money appropriated by the respective County Assembly; (b) sums payable pursuant to this Act; (c) sums payable pursuant to any gift; (d) money vested in the public Vocational Training Centres; and (e) money from any other source provided for under any written law.
<p>Annual estimates</p>	<p>118. (1) Before the commencement of each financial year, the Principals of the public institutions, the Chief Executive Officer of the Authority, the Chief Executive Officer of the Trainers Council, the Chief Executive Officer of the Certification Council and the Chief Executive Officer of the School shall prepare the estimates of the revenue and expenditure of the public institutions, Authority, Trainers Council, Certification Council and School respectively.</p> <p>(2) The annual estimates prepared under sub section (1) shall provide for—</p> <ul style="list-style-type: none"> (a) the payment of salaries, allowances and other charges in respect of the staff of public institutions, Authority, Trainers Council, Certification Council and School; (b) the payment of pensions, gratuity and other retirement benefits of the staff of the public institutions, Authority, Trainers Council, Certification Council and School; (c) the acquisition and maintenance of the assets of the public institutions, the Authority, the Trainers Council, the Certification Council and the School; (d) the creation of reserve funds to meet future or contingent liabilities the

	<p>public institutions, the Authority, the Trainers Council, the Certification Council and the School may deem as appropriate.</p> <p>(3) The annual estimates shall be approved by Parliament or county assembly as the case may be before the commencement of the financial year to which they relate.</p>
Books of accounts and audit	<p>119. (1) The principals of public institutions, the Chief Executive Officer of the Authority, the Chief Executive Officer of the Trainers Council, the Chief Executive Officer of the Certification Council and the Chief Executive Officer of the School shall keep all proper books and records of accounts of the income, expenditure, assets and liabilities of the institutions.</p> <p>(2) Within a period of three months after the end of each financial year, the principals of public institutions, the Chief Executive Officer of the Authority, the Chief Executive Officer of the Trainers Council, the Chief Executive Officer of the Certification Council and the Chief Executive Officer of the School shall submit to the Auditor-General the books and records kept under subsection (1) together with –</p> <ul style="list-style-type: none"> (a) a statement of the income and expenditure of the public institutions, the Authority, the Trainers Council, the Certification Council and the School; and (b) a statement of the assets and liabilities of the public institutions, the Authority, the Trainers Council, the Certification Council and the School as at the last day of the financial year. <p>(3) The books and records kept under subsection (1) shall be audited in accordance with the Public Audit Act, 2015.</p>
Investment of funds	<p>120. (1) The Board of the Authority, the Board of the Trainers Council, the Board of the Certification Council and the Board of the School and the Boards of Management of public institutions may invest money not immediately required for the operational expenses of the Authority, Trainers Council, Certification Council, the School or the public institutions in any security which the National Treasury approves.</p> <p>(2) The Board of the Authority, the Board of the Trainers Council, the Board</p>

	of the Certification Council and the Board of the School and the Boards of Management of public institutions may place on deposit money not immediately required for the operational expenses of the Authority, Trainers Council, Certification Council, the School or the public institutions with such bank or banks as the Boards may determine.
PART XI- MISCELLANEOUS PROVISIONS	
Data Protection	121. Any data under this Act shall be processed in accordance with the provisions of the Data Protection Act, 2019
General Penalties	122. A person convicted of an offence under this Act for which no penalty is prescribed shall be liable to a fine not exceeding two million shillings or, in the case of a natural person, to imprisonment for a term not exceeding three years, or to both.
Regulations	123. (1) The Cabinet Secretary may, upon consultation with stakeholders, make regulations for the better carrying out of the provisions of this Act. (2) For the purposes of Article 94 (6) of the Constitution – <div style="margin-left: 40px;"> (a) the delegation to Cabinet Secretary and County Executive Committee members under this section shall be limited to making regulations for the better implementation of this Act; and (b) the authority to make regulations of the Cabinet Secretary and County Executive Committee members under this section shall be limited to the purpose of bringing to affect this Act. </div>
Common Seal	124. (1) The Common Seal of the Authority, the Trainers Council, the Certification Council and the School shall be kept in the custody of the respective Corporation Secretary and shall not be used except on the direction of the Board of the Authority, the Board of the Trainers Council, the Board of the Certification Council and the Board of the School. (2) The affixing of the Common Seal of the Authority, the Trainers Council, the Certification Council and the School shall be authenticated by the signatures of the respective Chairpersons and the Chief Executive Officers of the Authority, the Trainers Council, the Certification Council and the School and any document required by law to be made under seal and all decisions of

	<p>the Board of the Authority, the Board of the Trainers Council, the Board of the Certification Council and the Board of the School shall be authenticated by the signatures of the respective Chairpersons and the Chief Executive Officers of the Authority, the Trainers Council, the Certification Council and the School.</p> <p>(3) The Board of the Authority, the Board of the Trainers Council, the Board of the Certification Council and the Board of the School, in the absence of the respective Chairpersons or the Chief Executive Officers, shall nominate one member of the respective Board to authenticate the Seal of the Authority, the Trainers Council, the Certification Council and the School.</p>
Protection from personal liability	<p>125. Any thing done by the Chairpersons or any member of the Board of the Authority, the Board of the Trainers Council, the Board of the Certification Council, the Board of the School or the Board of Management of public institution, any member of staff or agent of the Authority, the Trainers Council, the Certification Council, the School or public institution, if the thing is done in good faith for executing a power or performance of a function under this Act, shall not render the chairperson, member of the Board, staff or agent, personally liable to any action, claim or demand whatsoever.</p>
Liability for Damages	<p>126. This Act shall not relieve the Authority, the Trainers Council, the Certification Council, the School or public institution of the liability to pay damages to any person for any injury or loss caused in the exercise of any power or performance of any function under this Act.</p>
PART XII – DISPUTE RESOLUTION	
Review of decisions of the institutions	<p>127. (1) Any person or institution aggrieved by a decision of the public institutions may, within twenty-one (21) days from the date of the communication of the decision, apply for review to the Institutions.</p> <p>(2) The Institutions shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Review of the decision of the	<p>128. (1) Any person or institution aggrieved by a decision of the Committee may, within twenty-one (21) days from the date of the communication of</p>

Committee	<p>the decision, apply for review to the Committee.</p> <p>(2) The Committee shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Review of decisions of the Authority	<p>129. (1) Any person or institution aggrieved by a decision of the Authority may, within twenty-one (21) days from the date of the communication of the decision, apply for review to the Authority.</p> <p>(2) The Authority shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Review of decisions of the Trainers Council	<p>130. (1) Any person or institution aggrieved by a decision of the Trainers Council may, within twenty-one (21) days from the date of the communication of the decision, apply for review to the Trainers Council.</p> <p>(2) The Trainers Council shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Review of decisions of the Certification Council	<p>131. (1) Any person or institution aggrieved by a decision of the Certification Council may, within twenty-one (21) days from the date of the communication of the decision, apply for review to the Certification Council.</p> <p>(2) The Certification Council shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Review of decisions of the school	<p>132. (1) Any person or institution aggrieved by a decision of the school may, within twenty-one (21) days from the date of the communication of the decision, apply for review to the school.</p> <p>(2) The school shall, on receipt of an application under subsection (1), make a determination and communicate its decision to the aggrieved person or institution within thirty days.</p>
Appeal to the Tribunal	<p>133. (1) A person or institution aggrieved by the decision of the public institutions, the Authority, the Trainers Council, Certification Council or the School and, an application under sections 127, 128, 129, 130, 131 or 132 has</p>

	<p>not been invoked within twenty-one (21) days of communication of the decision, may appeal to the Education Appeals Tribunal.</p> <p>(2) A person or institution dissatisfied with the decision upon review made under sections 127, 128, 129, 130, 131 or 132, within twenty - one (21) days of communication of the decision, may appeal to the Education Appeals Tribunal.</p>
PART XIII—REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS	
Repealed Laws	<p>134. (1) The Technical and Vocational Education and Training Act, No. 29 of 2013 is repealed.</p> <p>(2) The Industrial Training Act, Cap 237 is repealed.</p> <p>(3) The Kenya School of Technical and Vocational Education and Training Order, 2022 is revoked.</p>
Savings of actions undertaken	<p>135. Any register kept, registration effected, certificate issued, notice issued return submitted or other actions undertaken by a former agency under the repealed Acts, immediately before the commencement of this Act, shall be deemed to have been undertaken under this Act.</p>
Transfer of asset, liabilities, legal proceedings and staff	<p>136. (1) Any assets and liabilities of a former agency subsisting immediately before the commencement of this Act shall at the commencement of this Act –</p> <p>(a) in the case Technical and Vocational Education and Training Authority established under section 6 of the Technical and Vocational Education and Training Act, 2013 be deemed to be an asset and liability of the Authority.</p> <p>(b) in the case of Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 44 of the Technical and Vocational Education and Training Act, 2013 be deemed to be an asset and liability of the Certification Council.</p> <p>(c) in the case of the National Industrial Training Authority established under section 3 of the Industrial Training Act be deemed to be an asset and liability of the Certification Council.</p> <p>(d) in the case of the Kenya School of Technical and Vocational</p>

	<p>Education and Training established under paragraph 3 of the Kenya School of Technical and Vocational Education and Training Order, 2022 be deemed to be an asset and liability of the school.</p> <p>(2) Any legal proceedings in which a former agency is a party and are pending determination at the commencement of this Act –</p> <p>(a) in the case Technical and Vocational Education and Training Authority established under section 6 of the Technical and Vocational Education and Training Act, 2013 be deemed to be deemed to be legal proceedings to which the Authority is a party.</p> <p>(b) in the case of Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 44 the Technical and Vocational Education and Training Act, 2013 be deemed to be legal proceedings to which the Certification Council is a party.</p> <p>(c) in the case of the National Industrial Training Authority established under section 3 of the Industrial Training Act be deemed to be legal proceedings to which the Certification Council is a party.</p> <p>(d) in the case of the Kenya School of Technical and Vocational Education and Training established under paragraph 3 of the Kenya School of Technical and Vocational Education and Training Order, 2022 be deemed to be legal proceedings to which the school is a party.</p> <p>(3) Any member of staff of a former agency at the commencement of this Act –</p> <p>(a) in the case Technical and Vocational Education and Training Authority established under section 6 of the Technical and Vocational Education and Training Act, 2013 be deemed to be a member of staff of the Authority.</p> <p>(b) in the case of Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 44 of the Technical and Vocational Education and Training Act, 2013 be deemed to be a member of staff</p>
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	<p>of a member of staff of the Certification Council.</p> <p>(c) iIn the case of the National Industrial Training Authority established under section 3 of the Industrial Training Act to be deemed to be a member of staff of the Certification Council.</p> <p>(d) in the case of the Kenya School of Technical and Vocational Education and Training established under paragraph 3 of the Kenya School of Technical and Vocational Education and Training Order, 2022 be deemed to be a member of staff of the school.</p> <p>(e) in the case of the of Technical and Vocational Trainers Service Council established under Section 63, the officers currently discharging the duties of trainers’ management shall be deemed to be a member of staff of the Trainers Service Council.</p>
Interpretation of this Part	<p>137. In this Part, “former agency” means -</p> <p>(a) The Technical and Vocational Education and Training Authority established under section 6 of the Technical and Vocational Education and Training Act, 2013.</p> <p>(b) The Technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 44 of the Technical and Vocational Education and Training Act, 2013.</p> <p>(c) The National Industrial Training Authority established under section 3 of the Industrial Training Act.</p> <p>(d) The Kenya School of Technical and Vocational Education and Training established under paragraph 3 of the Kenya School of Technical and Vocational Education and Training Order, 2022</p>
<p style="text-align: center;">FIRST SCHEDULE</p> <p style="text-align: center;">CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARDS OF THE INSTITUTIONS, THE AUTHORITY, THE TRAINER’S COUNCIL, THE CERTIFICATION COUNCIL AND THE SCHOOL ESTABLISHED UNDER THIS ACT</p> <p>1. The Boards or the Council shall meet as often as necessary for the transaction of business, but not</p>	

more than three months shall elapse between the date of one meeting and that of the next meeting.

2. The Chairperson may at any time, and shall upon written request by a majority of the members, call a special meeting of the Board or the Council.
3. The Chairperson shall preside at every meeting of the Boards or the Council at which he or she is present, but in the absence of the Chairperson the members present may elect one from among their number to preside.
4. The quorum for a meeting of the Boards or the Council shall be five members.
5. Unless a unanimous decision is reached, a decision on any matter before the Boards or the Council shall by a majority of the members present, and in the case of an equality of votes the Chairperson or person presiding shall have a casting vote.
6. A member who has a direct or indirect interest in a matter being considered or to be considered by the Board shall, at the beginning of the meeting where the matter is to be considered disclose the nature of such interest, and shall not be present during any deliberations on the matter.
7. The Boards or the Council shall cause the minutes of all proceedings of its meetings to be recorded and kept and shall be signed by the Chairperson or the person presiding at the meeting.