



LAWS OF KENYA



**BOARD OF ADULT EDUCATION ACT**

CHAPTER 223

Revised Edition 2012 [1967]

Published by the National Council for Law Reporting  
with the Authority of the Attorney-General

[www.kenyalaw.org](http://www.kenyalaw.org)



**CHAPTER 223**

**BOARD OF ADULT EDUCATION ACT**

ARRANGEMENT OF SECTIONS

*Section*

1. Short title.
  2. Interpretation.
  3. Establishment and functions of Board.
  4. Members of the Board.
  5. Chairman and Secretary.
  6. Period of office of members.
  7. Procedure and quorum.
  8. Executive Committee.
  9. Advisory Panels.
  10. Provincial, County and Municipal Committees.
  11. Rules.
  12. Allowances.
  13. Amendment of Cap. 211.
-



## CAP. 223

## BOARD OF ADULT EDUCATION ACT

[Date of assent: 24th February, 1966.]

[Date of commencement: 1st March, 1966.]

**An Act of Parliament to establish a Board of Adult Education to co-ordinate and promote activities in adult education in Kenya and for purposes incidental thereto and connected therewith**

**1. Short title**

This Act may be cited as the Board of Adult Education Act.

**2. Interpretation**

In this Act, except where the context otherwise requires—

“**adult education**” means the full-time or part-time education or instruction of any kind provided for any person over the age of sixteen who is not in full-time attendance at any primary, intermediate or secondary school or at the Kenya School of Law or at any university or university college (except to the extent that any department, institute or faculty at such university or university college is devoted to adult education) and includes education by correspondence, education by means of the media of mass communication and the educational use of libraries, museums, exhibitions and other means of visual or auditory communication;

“**agency**” means any association, organization or institution concerned with adult education other than any Ministry or any Department of Government or any association, organization or institution for which a Minister is responsible;

“**the Board**” means the Board of Adult Education established under the provisions of this Act;

“**Panel**” means an Advisory Panel established under the provisions of this Act.

**3. Establishment of the Boards, and functions of Board**

There is hereby established a Board of Adult Education, the functions of which shall be—

- (a) to advise the Minister on any matter relating to adult education, including the formulation of courses and syllabuses, the establishment of residential and non-residential institutions, the use of museums, libraries and the media of mass communication, and the provision and method of award of scholarships or bursaries;
- (b) to advise with respect to the co-ordination of the work in connexion with adult education of Ministries and Departments of Government and agencies;
- (c) to identify and assess the need for new developments in adult education;
- (d) to stimulate and encourage activities in adult education; and

- (e) to report annually to the Minister on the progress and development of adult education.

#### **4. Members of the Board**

(1) The Board shall consist of the following members—

- (a) a chairman appointed by the Minister;
- (b) not more than ten persons appointed by the Minister to represent the activities of the Government in adult education;
- (c) not more than twelve persons appointed by the Minister to represent the agencies.

(2) The Board may co-opt not more than five persons who shall for the purposes of this Act be deemed to be members of the Board.

#### **5. Chairman and secretary**

(1) The Chairman shall hold office for three years but shall be eligible for reappointment thereafter.

(2) In the absence of the Chairman at any meeting of the Board the members present shall elect one of their number to be chairman for that meeting only.

(3) The Minister may appoint a public officer to be Secretary to the Board, who shall if the Minister so appoints, also be a member of the Board in accordance with section 4(1)(b) of this Act.

#### **6. Period of office of members**

(1) A member of the Board shall hold office for three years:

Provided that the members first appointed shall, at the Minister's discretion, hold office for one, two or three years to make provisions for rotational termination of office.

(2) Members shall be eligible for reappointment on the termination of their period of office.

(3) Where a person ceases to be a member of the Board before the end of his term of office, the Minister shall, in accordance with the provisions of section 4(1) of this Act, appoint a member for the unexpired term of office.

#### **7. Procedure and quorum**

(1) The Board shall regulate its own procedure:

Provided that a quorum at any meeting of the Board shall be one-third of all the members of the Board for the time being appointed or co-opted thereto.

(2) The Board may invite any person who is not a member of the Board to attend any meeting thereof, but such person may only speak at such meetings at the request of the Chairman and may not vote.

#### **8. Executive Committee**

(1) The Board shall establish an Executive Committee consisting of the Chairman of the Board, who shall be the Chairman of such Committee, the chairman of every Panel and not more than three other persons appointed by the

Board from among its members who shall, subject to the termination of their period of office as members of the Board, hold office for one year and shall be eligible for reappointment.

(2) The Board shall regulate the procedure of the Executive Committee.

(3) The Board may vest in or confer on the Executive Committee any of the powers or functions of the Board, but any decision of the Executive Committee relating to any advice proposed to be given by the Board to the Minister on any matter on which the Board is competent to give advice under this Act, shall require the approval of the Board, expressed by a resolution thereof supported by a majority of all the members of the Board for the time being appointed or co-opted thereto.

(4) The proceedings of any meeting of the Executive Committee shall be reported to the Board at the next meeting of the Board.

## **9. Advisory Panels**

(1) The Board may establish, constitute and appoint such Advisory Panels as it considers necessary to advise the Board on any matter with which the Board is concerned under this Act.

(2) The members of any Advisory Panel shall be appointed by the Board for such period of office as the Board shall determine, and shall include, but need not exclusively consist of, members of the Board.

(3) The Board shall appoint one of its members to be the Chairman of each Advisory Panel, who shall hold office for such period as the Board shall in each case determine.

(4) Each Panel shall regulate its own procedure.

## **10. Provincial, County and Municipal Committees**

(1) Subject to the approval of the Minister in each case, the Board may establish, constitute and appoint Provincial, County and Municipal Committees and the members of each such Committee shall be appointed from among persons representing the Government and agencies in the Province, county or municipality concerned, in such numbers and for such periods of office as the Board shall determine in each case; and the Board shall regulate the procedure of each such Committee.

(2) The functions of any Provincial, County or Municipal Committee with respect to the appropriate Province, county or municipality shall be to advise the Board on the conduct and promotion of activities in adult education, to advise on the development and co-ordination of activities in adult education, and in agreement with the Minister and the agencies concerned to formulate development plans for adult education in such Province, county or municipality.

(3) Each Provincial, County, and Municipal Committee shall report to the Board annually in the month of January, and at such other times as the Board may from time to time direct, on the activities of such Committee.

(4) The secretary of a Provincial, County or Municipal Committee shall be the appropriate Provincial Education Officer or County Education Officer or Municipal Education Officer, as the case may be.

**11. Rules**

The Minister may make rules for the better carrying out of the purposes of this Act.

**12. Allowances**

The members of the Board, and of any Panel or Committee established by or under this Act who are not public officers, shall be paid out of moneys provided by Parliament such allowances and expenses as the Minister may prescribe.

**13. Amendment of Cap. 211**

Section 2 of the Education Act is amended by renumbering the section as subsection (1) of section 2 and by adding the following new subsection—

(2) Notwithstanding anything to the contrary in this Act, the Minister may in his discretion at any time by notice in the Gazette designate any institution providing education or instruction of any kind or any group or class of such institutions to be a school or schools for the purposes of this Act, or for the purposes of such provisions thereof as he may specify in such notice, and any person receiving education or instruction of any kind at any such institution or group or class of institutions shall be deemed to be a pupil for the purposes of this Act, or of the provisions thereof specified in the aforesaid notice.

---