

NO. 27 OF 2012

LEGAL EDUCATION ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

Page

- | | |
|--|----|
| 1. Council of Legal Education (Accreditation of Legal Education Institutions) Regulations, 2009..... | 25 |
| 2. Legal Education (Accreditation and Quality Assurance) Regulations, 2016..... | 37 |

COUNCIL OF LEGAL EDUCATION (ACCREDITATION OF LEGAL EDUCATION INSTITUTIONS) REGULATIONS, 2009

[L.N. 170/2009.]

PART I — PRELIMINARY

1. Citation

These Regulations may be cited as the Council of Legal Education (Accreditation of Legal Education Institutions) Regulations, 2009.

2. Interpretation

In these Regulations unless the context otherwise requires—

"accreditation" means the confirmation, evidenced by an evaluation of the institution under regulation 6, that an institution has met the training standards prescribed by the Council;

"legal education" means any education or training programme offered by an institution whose object is to impart knowledge or skills in the area of law, or such other educational or institutional training that the Council may declare to be legal education or training;

"legal education institution" means any institution or place of learning however established whose object is to provide legal education or training;

"Secretary" means the Secretary to the Council of Legal Education.

3. Application and transition

(1) These Regulations shall apply to any institution that is authorized under the Act or any other written law to operate an educational institution in Kenya and intends to offer or at the commencement of these Regulations is offering legal education.

(2) Any institution that is offering legal education or training shall, within six months after the commencement of these Regulations, apply to the Council for accreditation

(3) The Council may by a notice in the *Gazette* stop the legal education or training programme of a training institution that has not complied with this regulation.

(4) Any person who contravenes the provisions of paragraph (2) commits an offence and shall be liable to a fine of six thousand shillings or imprisonment for a term of six months or both.

PART II — ACCREDITATION PROCESS

4. Application procedure

(1) Any institution that, at the commencement of these Regulations, wishes to be accredited under these Regulations shall apply to the Council for accreditation.

(2) An application under paragraph (1), shall be made in Form CLE No. 1 set out in the First Schedule and the applicant shall pay the fees set out in the Fourth Schedule.

(3) An application for accreditation under paragraph (2), shall be accompanied by proof of payment of the prescribed fees, the proposed legal education programme, the course that the institution intends to offer or is offering and course curriculum.

(4) The Council shall within one month of the receipt of the application for accreditation acknowledge receipt, consider the application and communicate the outcome of the application to the applicant.

(5) Where an application for accreditation to the Council is in respect of an existing programme, the Council may grant provisional accreditation under regulation 8, for a period not exceeding one year pending the evaluation of the programme and inspection of the institution.

[Subsidiary]

5. Evaluation of programme

(1) The Council shall, within sixty days from the date of acknowledgement of an application, evaluate the programme submitted and make recommendations.

(2) The Council may engage the services of an independent evaluator to undertake any aspect of the evaluation process on its behalf.

(3) The Council may evaluate a programme of an institution undergoing another accreditation process under any other written law, for the purposes of assisting in the said accreditation process:

Provided that such evaluation shall not constitute a waiver of the Council's mandate under these Regulations.

(4) A member of the Council, who is a dean of a faculty, a regular member of staff of a faculty or is in any way connected to or interested in the affairs of an institution that is the subject of the accreditation, shall not participate in the evaluation of that institution's programme or inspection of its facilities.

6. Rejection and re-evaluation of an application

(1) Where the information provided by an applicant is not sufficient or the applicant has not complied with the requirements set out in the Third Schedule, the Council may reject the application or request for more information.

(2) An applicant whose application has been rejected under paragraph (1), may within three months of such rejection re-submit the application providing the required information for re-evaluation by the Council.

(3) Where the rejected application is not re-submitted within six months, the application shall lapse.

7. Inspection

The Council shall inspect the physical and other infrastructural facilities of an institution offering or intending to offer legal education or training to verify its suitability for the training of the programme applied for.

8. Certificate of accreditation

(1) The Council shall, under its seal, award a certificate of accreditation to an institution that has complied with the provisions of these Regulations.

(2) The certificate of accreditation under paragraph (1) shall be in Form CLE No. 2 set out in the First Schedule to these Regulations.

(3) The Council may issue a provisional accreditation certificate for a period not exceeding one year to an existing institution that has complied with the provisions of regulation 4.

(4) Subject to regulation 12 or any other written law, an institution which has been issued with a certificate of accreditation by the Council under paragraph (1), may advertise the approved course programme, admit students and commence the approved training or legal education programme.

(5) The certificate of accreditation issued under paragraph (1), shall, unless revoked under regulation 10, be valid for a period of five years.

9. Publication

(1) The Council shall within one month of issuing a certificate of accreditation to an institution publish a notice of the grant in the *Gazette*.

(2) The Council shall from time to time and in any case not more than a period of three consecutive years, publish the particulars of the institutions that have been granted a Certificate of Accreditation in the *Gazette*.

(3) The Council shall maintain and regularly update particulars of the accredited institutions on its register and official website.

10. Revocation of accreditation

(1) Where the Council determines that a legal education institution issued with a certificate of accreditation has failed to maintain or comply with the standards set out in these Regulations, it shall issue a notice of revocation of accreditation to that institution requiring it to show cause why the certificate of accreditation should not be revoked.

(2) An institution issued with a notice under paragraph (1), shall within three months provide the Council with necessary information regarding the issues raised in the notice of revocation.

(3) Where the information provided under paragraph (2) is reviewed and found to be inadequate in responding to the issues raised in the notice of revocation, the Council shall revoke the certificate of accreditation issued to the institution.

(4) Where the Council revokes a certificate of accreditation of an institution, it shall publish a notice of revocation in the *Gazette*.

(5) The Council may rescind the notice of revocation if it is satisfied that the institution has put in place necessary measures to comply with these Regulations.

(6) The institution shall meet the Council's reasonable administrative cost and other expenses incurred in the enforcement of this regulation.

11. Operation standards

The standards governing the operation of legal education institutions accredited by the Council shall be as set out in the Third Schedule to these Regulations.

12. Maintenance of standards

A legal education institution shall —

- (a) maintain the standards set out in the Third Schedule;
- (b) comply with lawful instructions issued by the Council or any other authority empowered to do so under the Act; and
- (c) ensure that the legal education programme which is the subject of accreditation is not reviewed or altered in any way without the approval of the Council.

13. Institutional reports

(1) A legal education institution which has been granted a certificate of accreditation under these Regulations shall, prepare and submit to the Council —

- (a) an annual report of its activities in each year of operation;
- (b) an annual report of the resources set aside for the legal training and the maintenance of the legal library services; and
- (c) a detailed report after every five years for a degree level and after every four years for other training programmes, indicating the progress made in the maintenance of standards and institution's objects with regard to the legal education.

(2) The Council shall evaluate the reports received under paragraph (1) and make recommendations for the purpose of improving the training standards of the institution or the legal education programmes of the institution.

14. Renewal of accreditation

(1) An institution shall make an application for renewal of accreditation to the Council, in Form CLE No. 1 set out in the First Schedule.

(2) Where the Council is satisfied on the basis of the information supplied in the reports that a legal education institution has maintained standards set out in these Regulations, it shall renew the certificate of accreditation of that legal education institution for a further period of five years.

[Subsidiary]

15. Re-inspections

(1) The Council may on its own initiative, on request of the institution or the public, conduct an impromptu visit to a legal education institution accredited under these Regulations.

(2) Where an impromptu visit is carried out by the Council, it shall prepare a report of its findings and submit them to the institution with its comments and recommendations.

(3) Where the Council determines that an institution is not maintaining the standards set out under these Regulations, it shall revoke the certificate of accreditation.

16. Discontinuation

(1) The Council may order an education institution to discontinue providing legal education or training if —

- (a) the legal education institution has requested to discontinue offering the accredited programme;
- (b) the Council discovers that the legal education institution is no longer interested in offering legal education;
- (c) the legal education institution has been served with a revocation order under regulation 11; or
- (d) the legal education institution is not accredited by the Council.

(2) The Council shall, under its seal, issue an order of discontinuation to a legal education institution in Form CLE No.3 set out in the First Schedule.

(3) The Council shall publish in the Gazette the order of discontinuation issued under paragraph (2), and may also publish the order of discontinuation in the local media.

17. Discontinuation plan

(1) Where the Council has issued an order of discontinuation to a legal education institution, the institution shall within two months submit for the Council's approval, a discontinuation plan which shall among other things state unequivocally the date on which the legal education or training shall be stopped.

(2) Without prejudice to the generality of paragraph (1), a closure plan shall ensure that, the discontinuation of a legal education programme shall become effective at the end of the academic year in which the order of discontinuation is issued.

(3) Once a discontinuation plan has been approved by the Council, the institution shall —

- (a) not admit new students to any of its legal programmes; and
- (b) assist its students to transfer to other accredited institutions to complete their legal education programmes.

(4) A legal institution shall, until it discontinues a programme —

- (a) continue to follow the course programmes approved by the Council or in the mode existing before the order of discontinuation;
- (b) maintain the library and other physical facilities required under these Regulations; and
- (c) maintain adequate faculty staff qualified to manage the course programme.

(5) A legal institution shall not enter into a teach-out agreement with an institution that is not accredited under these Regulations.

PART III — LEGAL EDUCATION TRAINING**18. Eligibility for admission**

A student shall not be eligible for admission to a legal education training programme under these Regulations, unless that student has attained the required minimum qualifications set out in the Second Schedule.

19. Recognition, equation of foreign qualifications and equivalence

(1) The Council may recognize academic awards, in legal education, of foreign institutions that are recognized by the Commission for Higher Education or any other authority with the mandate under any written law to recognize foreign qualifications.

(2) Notwithstanding the generality of paragraph (1), the Council shall equate every qualification from a foreign institution against its standards and make such recommendations as it may consider necessary.

PART IV — APPEALS AND *AD HOC* COMMITTEE**20. Grounds for appeal**

(1) Any person aggrieved by a decision of the Council may appeal in writing to the Minister through the Secretary within thirty days from the date of the Council's decision.

(2) The applicant shall set out the grievance or issues to be determined by the Committee.

(3) The Committee shall determine the Appeal within three months from the date of its appointment.

21. Establishment of *ad hoc* committee

(1) The Minister may, upon receipt of an appeal, establish an *Ad Hoc* Committee which shall consist of the following members appointed by the Minister —

- (a) the Chairman, who shall be a person who is or is eligible to be appointed a Judge of the High Court of Kenya;
- (b) one person who is or is eligible to be appointed as Senior Counsel;
- (c) one person representing the Ministry for the time being responsible for legal education;
- (d) one person from the private sector who is not a legal practitioner; and
- (e) a Secretary, who shall be an *ex-officio* member.

(2) The Committee shall hear and determine appeals made by any person aggrieved by the decision of the Council on accreditation of legal education institution.

(3) The persons appointed under paragraph (1), shall hold office for the duration of the committee as shall be specified in the instrument of appointment.

(4) The Committee shall make its own rules of procedure.

PART V — MISCELLANEOUS PROVISION

22. Establishment of committees

(1) The Council may establish such committees as it considers necessary for undertaking any of its functions under these Regulations.

(2) Notwithstanding the generality of paragraph (1), the Council shall establish committees to —

- (a) inspect institutions; and
- (b) determine the persons eligible for admission to the Bar.

23. Fees and charges

(1) The fees specified in the Fourth Schedule shall be paid in respect of the matters specified in the corresponding entry.

(2) Fees once paid shall not be refunded.

[Subsidiary]

24. Offences and penalties

Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable to a fine not exceeding six thousand shillings or imprisonment for a term not exceeding six months or both.

FIRST SCHEDULE

APPLICATION FOR ACCREDITATION

FORM CLE NO. 1

[Regs. 4(2) & 14.]

1. Name of the institution:
2. Physical address (location):
3. Contacts:
Postal Address:
Telephone: Fax:
E-mail: Others:
4. Programme level (degree, diploma, etc):
5. Course units taught:
6. Minimum admission requirements:
7. Teaching methodologies:
8. Examinations and pass mark:
9. Academic award (LLB, Diploma in Laws, etc):
10. Details of staff employed for the programme (including qualification, work load, part time and full time:
11. Number of students per year of study:
12. Physical facilities (buildings, land, owned or leased):
13. Library (space dedicated for the programme and legal volumes):
14. Other facilities:
15. Budget set out for the development of legal education including purchase of books and research:

I hereby make application for accreditation of the above-mentioned institution which is providing or intends to provide of legal education and training, which institution has been licensed to offer education in Kenya by (name of authorizing agent) under the (legal mandate) of the Laws of Kenya on the day of (attach licensing certificate) and declare that the information given herein is correct to the best of my knowledge and belief.

Name:

Designation:

Signature:

FORM CLE NO. 2

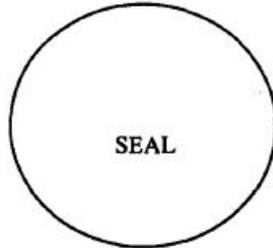
[Reg. 8(2).]

CERTIFICATE OF ACCREDITATION

THIS IS TO CERTIFY that

Name of the institution Care of Post Office Box Number situated at has this day of has been accredited in accordance with the Council of Legal Education (Accreditation of Legal Education Institution) Regulations, 2008 and is HEREBY authorized to offer legal education and training leading to award of degree/diploma/certificate only.

**Chairman
Council for Legal Education**



**Secretary
Council for Legal Education**

FORM CLE NO. 3

[Reg. 16(2).]

ORDER TO DISCONTINUE

TAKE NOTICE THAT the Council of Legal Education has this day of revoked the Certificate of Accreditation issued to (name of the institution) Care of Post Office Box Number situated at issued on the day of and HEREBY ORDERS that (name of the institution) shall with immediate effect/ with effect from this day of discontinue offering legal education and training in Kenya.

This Order is issued in accordance with Regulation 16(3) of the Council of Legal Education (Accreditation of Legal Education Institution) Regulations, 2008.

**Chairman
Council for Legal Education**



**Secretary
Council for Legal Education**

Legal Education

[Subsidiary]

SECOND SCHEDULE

[Reg. 18.]

MINIMUM QUALIFICATIONS FOR ENTRY INTO
LEGAL EDUCATION TRAINING PROGRAMME**1. Admission into the Diploma in Law (Para-Legal Studies) Programme**

A student shall not be eligible for admission into the Diploma in Law (Para-Legal Studies) Programme, unless that student has —

- (a) a mean grade of C (C plain) in the Kenya Certificate of Secondary Education (KCSE) or its equivalent examination and a minimum grade C+ (C plus) in English;
- (b) at least one principal pass at the Kenya Advanced Certificate of Education (KACE) examinations; or
- (c) a distinction or credit pass in the Certificate in Law course conducted at the Kenya School of Law between the year 2000 to 2003 or any other Certificate or Diploma in a relevant field.

2. Admission into an Undergraduate Degree Programme

A student shall not be eligible for admission into an Undergraduate Degree Programme unless that student has —

- (a) a degree from a recognized university;
- (b) at least two principal passes at an advanced level or an equivalent qualification;
- (c) a mean grade of C+ (C plus) in Kenya Certificate of Secondary Education (KCSE); or
- (d) a diploma of an institution recognized by the Commission for Higher Education and the applicant shall have obtained at least credit pass.

THIRD SCHEDULE

[Reg. 11.]

**PHYSICAL, LIBRARY AND CURRICULUM
STANDARDS FOR LEGAL EDUCATION INSTITUTIONS**

PART I — PHYSICAL STANDARDS

1. These standards shall apply to all physical facilities supporting the legal education programme.
2. Every legal education institution shall have the following physical facilities to support the legal education programme —
 - (a) classrooms or lecture rooms;
 - (b) a library with a section demarcated for legal education and training;
 - (c) a moot court room for programmes that require a moot court; and
 - (d) recreational facilities and sanitation.
3. Every building used or intended to be used as part of the physical facility, shall comply with the requirements of the Building Code, the Public Health Act and be approved by the relevant authorities.
4. Every building shall be safe for public habitation and kept in a good state, free from structural failures, cracking or dilapidation of building material, fabric and components.
5. A legal education institution shall provide classroom, lecturer hall, moot court rooms that are adequate in size, well illuminated and ventilated.

6. A legal education institution shall provide sufficient writing surface for each seat and a place to set books and papers.

PART II — LIBRARY STANDARDS

7. Every legal education institution shall provide a functional library area with the following areas —

- (a) adequate sitting area;
- (b) stack area, with the section dedicated for legal education and training; and
- (c) information and communication technology centre.

8. A legal education institution shall maintain a legal education library that complies with international library standards in respect to its classification, functionality and adaptation to its users.

9. The legal education institution's library shall have a library policy and library development strategies.

10. The legal education institution shall set aside at least five percent of the total recurrent budget for the purchase of legal education materials every year.

11. A librarian of an institution offering legal education shall have a minimum qualification of a degree in library services.

12. The library shall stock at least five core titles (latest edition) per unit, being used and at least one copy for every five students per core title.

13. The library shall —

- (a) stock journals, periodicals, encyclopedia and other publications for general information;
- (b) stock books for general knowledge with the object of giving it's users a wide range of knowledge;
- (c) have adequate sitting capacity for all students in the institution;
- (d) have internet facilities and other online information resources;
- (e) have adequate lighting and ventilation.

14. The legal library shall have the following minimum law reports —

- (i) Kenya Law reports up to the current edition;
- (ii) Kenya *Gazettes* to the current edition;
- (iii) East African Law Reports to the current edition;
- (iv) All England Law Reports to the current edition.

PART III — CURRICULUM STANDARDS

15. (1) A legal education institution shall maintain adequate qualified academic and support staff.

(2) The academic full time staff and student ratio shall be at most 1:15.

16. A person shall not be recruited as an academic or technical staff unless he possess the following minimum qualifications —

- (a) for diploma level, at least a degree in law;
- (b) for undergraduate level, at least a masters in law;
- (c) for post graduate level, at least a masters in law.

17. Unless otherwise stated —

- (a) the Diploma Programme shall carry a minimum of 640 contact hours;
- (b) the Undergraduate Programme shall carry a minimum of 1680 minimum contact hours;

[Subsidiary]

- (c) the Post-Graduate Diploma (Bar Training) shall carry a minimum of 840 contact hours.

18. The curriculum submitted to the Council shall —

- (a) indicate the core courses;
- (b) indicate the elective courses;
- (c) specify in terms of lecture hours, the minimum load for each unit offered in every academic year;
- (d) specify the minimum number of units that a student is expected to take;
- (e) specify the conditions under which the student may —
 - (i) take special examination;
 - (ii) re-sit examinations;
 - (iii) repeat the entire academic year;
 - (iv) student may be discontinued;
- (f) the method and manner of arriving at the academic award.

19. The Diploma In Law Programme (Para-Legal Studies) shall comprise of the following core units—

- (i) general principal of constitutional law & legal system;
- (ii) law of contract;
- (iii) law of tort;
- (iv) criminal law;
- (v) commercial law;
- (vi) family law;
- (vii) law of succession;
- (viii) law of property in land;
- (ix) civil procedure;
- (x) criminal procedure;
- (xi) company law;
- (xii) conveyancing;
- (xiii) book-keeping and accounts; and
- (xiv) office practice & management.

20. The Under-Graduate Programme shall comprise of the following core units —

- (i) legal research and writing;
- (ii) law of torts;
- (iii) law of contracts;
- (iv) legal research and writing;
- (v) constitutional law;
- (vi) criminal law;
- (vii) family law and succession;
- (viii) law of evidence;
- (ix) commercial law (including sale of goods, hire-purchase and agency);
- (x) law of business associations (to include insolvency);
- (xi) administrative law;
- (xii) jurisprudence;
- (xiii) equity and the law of trusts;

- (xiv) public international law;
- (xv) property law; and
- (xvi) labour law.

21. (1) The Post-Graduate Diploma (Advocates Training Programme) shall be comprise the following core units —

- (i) civil litigation;
- (ii) criminal litigation;
- (iii) probate and administration;
- (iv) legal writing and drafting;
- (v) trial advocacy;
- (vi) professional ethics and practice;
- (vii) legal practice management;
- (viii) conveyancing;
- (ix) commercial transactions; and
- (x) pupillage.

(2) The training session shall last for a minimum period of twelve months.

(3) The Pupillage attachment period shall last for a minimum period of six months.

(4) The Post Graduate Diploma (Advocates Training Programme) shall be a compulsory course and students admitted into the programme shall take all core units.

FOURTH SCHEDULE

[Regs. 4(2) & 23(1).]

FEES AND CHARGES

1. Accreditation Fees.

The Council shall charge the following fees for the evaluation of programmes and inspection of legal education institutions —

- (a) provisional accreditation KSh. 250,000
- (b) post-graduate programme KSh. 800,000
- (c) degree programme KSh. 800,000
- (d) diploma programme KSh. 450,000

2. Foreign Qualifications.

The Council shall charge the following other fees and charges —

- (a) equation of foreign qualification KSh. 10,000
- (b) application for admission to the Bar KSh. 10,000

3. Power to amend.

The Council may revise the fees structure as it considers necessary and publish the same in the *Gazette*.

LEGAL EDUCATION (ACCREDITATION AND QUALITY ASSURANCE) REGULATIONS, 2016

ARRANGEMENT OF REGULATIONS

PART I — PRELIMINARY

Regulations

- 1. Citation.
- 2. Interpretation.
- 3. Scope.

PART II — THE LICENCING PROCESS

- 4. Application for accreditation.
- 5. Inspection, accreditation and issuance of licence.
- 6. Procedure for renewal of licence.

PART III — RECOGNITION AND APPROVAL OF FOREIGN QUALIFICATIONS, CREDIT ACCUMULATION AND CREDIT TRANSFERS

- 7. Recognition and equation of foreign qualifications.
- 8. Recognition of experiential learning.
- 9. Credit accumulation and transfer.

PART IV — QUALITY STANDARDS

- 10. Quality standards.

PART V — TERMINATION, SUSPENSION AND REVOCATION OF LICENCE

- 11. Termination.
- 12. Suspension.
- 13. Revocation.
- 14. Closure plan.
- 15. Examinations.

PART VI — MISCELLANEOUS PROVISIONS

- 16. Miscellaneous provisions.

SCHEDULES

FIRST SCHEDULE	Forms.
SECOND SCHEDULE	Fees.
THIRD SCHEDULE	Quality standards.

[Subsidiary]

**LEGAL EDUCATION (ACCREDITATION AND
QUALITY ASSURANCE) REGULATIONS, 2016**

[L.N. 15/2016.]

PART I — PRELIMINARY

1. Citation

These Regulations may be cited as the Legal Education (Accreditation and Quality Assurance) Regulations, 2016.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"accreditation" means the issuance of a licence by the Council to a legal education provider because it has met the quality standards prescribed by the Council;

"experiential learning" means relevant skills, knowledge or competencies that have been obtained through work experience, informal training and life experiences;

"full-time faculty" means the teaching staff members of a legal education provider for whom an essential part of their work includes—

- (a) enhancing, developing and delivering through teaching an undergraduate or post-graduate programme;
- (b) leading and developing research; and
- (c) participating in professional services that enrich the teaching staff members' capacity as scholars;

"legal education" means any qualification in law obtained after a training course or programme for the award of a certificate, diploma, post-graduate diploma, degree, or post-graduate degree or any other course or programme that the Council may declare to be legal education in accordance with these Regulations;

"licence" means the authority or instrument granted under the seal of the Council to a legal education provider to offer legal education in Kenya;

"recognition of experiential learning" means the identification, assessment or acknowledgment of experiential learning for the purpose of assigning academic credits and promoting further learning;

"residential programme" means a legal education programme that meets the required contact hours prescribed in the Third Schedule to these Regulations but does not include distance learning or open learning; and

"tracer study" means a study to measure the rate of absorption of graduates of a legal education programme in the labour market and connected matters.

3. Scope

(1) These Regulations shall apply to any person who is offering or who intends to offer legal education in Kenya.

(2) No person shall be eligible to apply for accreditation under these Regulations unless the person is registered as an educational institution by the respective government agency.

(3) The Council may evaluate a programme of an institution undergoing accreditation under any other written law for purposes of assisting in the said accreditation process:

Provided that the licence shall not be issued until the applicant is duly registered under the respective law.

(4) No person shall offer legal education in Kenya unless that person has been issued with a licence by the Council in accordance with these Regulations.

(5) The Council may suspend or revoke a licence to offer legal education in accordance with the provisions of these Regulations and the Legal Education Act, 2012 (No. 27 of 2012).

(6) Where the Council has suspended or revoked the licence of a legal education provider, the Council shall publish a notice of the cancellation or revocation in the Gazette and in at least one newspaper with a nationwide circulation.

PART II — THE LICENCING PROCESS

4. Application for accreditation

(1) A person who at the commencement of these Regulations either intends to or is offering legal education in Kenya shall apply to the Council for accreditation.

(2) An application under paragraph (1) shall be made in Form CLE/L/001 set out in the First Schedule to these Regulations.

(3) A person making an application for accreditation in accordance with these Regulations shall provide—

- (a) a feasibility study of the legal education programme highlighting the justifications for the programme including the programme's "niche" area;
- (b) a strategic plan, highlighting specific strategies applicable to ensure sustainability and growth of the legal education programme;
- (c) supporting policy documents such as staff recruitment and development policy, research policy and library policy;
- (d) a detailed curriculum of the legal education programme; and
- (e) any other relevant document.

(4) The Council shall review an application made under section 18 of the Act and these Regulations within thirty days and shall—

- (a) notify the applicant that the application complies with these Regulations; or
- (b) notify the applicant that the application does not comply with these Regulations.

(5) An applicant who has been notified by the Council that the application does not comply with these Regulations may amend the application and resubmit it to the Council within twelve months of being notified by the Council:

Provided that nothing in this paragraph shall mean that an applicant may not re-apply for accreditation at any other time.

(6) The Council shall, within sixty days of notifying an applicant that the application complies with these Regulations, notify the applicant—

- (a) that the Council has reviewed the application, and the supporting documentation and other materials in detail in order to determine whether or not the applicant has made a prima facie case for the inspection of the applicant's facilities; and
- (b) of the date when the Council may make an on-site visit to inspect the facilities of the applicant at the place or places the applicant intends to offer legal education.

5. Inspection, accreditation and issuance of licence

(1) The Council shall conduct an inspection of the place where the legal education shall be offered by the applicant after the Council has reviewed in detail the application, the supporting documentation and other material for a licence to confirm whether or not the applicant has complied with the provisions of the Act and these Regulations including the quality standards set out in the Third Schedule to these Regulations.

(2) Where the Council is satisfied that an applicant which is offering a legal education programme should not be accredited—

- (a) that applicant shall suspend the legal education programme immediately;

[Subsidiary]

- (b) that applicant shall furnish the Council with a closure plan within a period of three months; and
- (c) that applicant shall close the law programme within one year from the date of the inspection.

(4) Where the Council determines that an applicant should be accredited, the Council shall issue that applicant with a licence and the licence shall be valid for a period of five years.

(5) The Council shall enter the name of the legal education provider in a register of legal education providers and shall publish a notice in the *Gazette* that the legal education provider has been issued with a licence in accordance with these Regulations.

(6) A legal education provider may—

- (a) advertise the legal education programme;
- (b) launch the legal education programme;
- (c) continue to mobilise resources to support and maintain the quality standards set out in these Regulations.

6. Procedure for renewal of licence

(1) The Council shall undertake an audit of the quality of legal education offered by a legal education provider after two years from the date of the accreditation but not later than three years from the date of the accreditation and shall prepare and submit to the legal education provider a report of its findings and recommendations.

(2) The Council may investigate on its own motion or at the request of any person whether or not a legal education provider is complying with the Act or these Regulations and shall prepare and submit to the legal education provider a report of its findings and recommendations.

(3) A legal education provider shall apply for the renewal of a licence issued under the Act and these Regulations at least one year before the date of the expiry of the licence and the application shall be in form CLE/L/001 set out in the First Schedule to these Regulations.

(4) The application for the renewal of a licence shall be accompanied by—

- (a) a detailed report indicating the progress made in the maintenance of quality standards and the institution's strategies;
- (b) a tracer study detailing the impact of the legal education programme since the date of accreditation;
- (c) a report of stakeholders' engagement in the curriculum review; and
- (d) the reviewed curriculum.

(5) An application for the renewal of a licence shall be reviewed in accordance with the relevant provisions of this regulation.

PART III — RECOGNITION AND APPROVAL OF FOREIGN QUALIFICATIONS, CREDIT ACCUMULATION AND CREDIT TRANSFERS

7. Recognition and approval of foreign qualifications

(1) A Kenyan who has undergone training at a foreign legal education provider and who has attained professional qualifications that would enable him or her to practice law in that place where he or she underwent training and has practiced law in that place for at least five years may apply to the Council for recognition of his or her professional qualifications.

(2) An application under paragraph (1) shall be made in Form CLE/L/006 set out in the First Schedule to these Regulations.

(3) The Council shall recognise or approve foreign qualifications in law for the purposes of this regulation in accordance with the quality standards set out in the Third Schedule to these Regulations.

(4) The Council may decline to recognise or approve foreign qualifications in law where the Council determines that the quality standards of that foreign legal provider do not satisfy the quality standards set out in the Third Schedule to these Regulations.

(5) The Council shall recommend to a person who has applied for the recognition and approval of his or her qualifications from a foreign legal education provider that has not been recognised or approved by the Council to undertake a remedial programme at a legal education provider in Kenya.

8. Recognition of experiential learning

(1) A person who has worked in any field of law for a period of not less than ten years may apply to the Council for recognition and award of a certificate of experiential learning:

Provided that—

- (a) an applicant who does not hold a certificate in law may be eligible for admission to a diploma in law programme or granted experiential learning equivalent to the status of a diploma in law holder; and
- (b) an award of a certificate of experiential learning may be used by the awardee of the certificate to transpose his or her professional orientation.

(2) An application for a certificate in experiential learning shall be made in the form CLE/L/007 set out in the First Schedule to these Regulations.

(3) The Council shall determine an application for experiential learning in accordance with the quality standards set out in the Third Schedule of these Regulations.

9. Credit accumulation and transfer

(1) A person may transfer credits of accumulated qualification in law to another legal education provider:

Provided that the person intending to transfer credits shall satisfy the requirements of the Council and of the admitting legal education provider.

(2) No exemptions shall lie across programmes.

(3) The person intending to transfer credits shall have earned the credits not more than four years from the date of the application for transfer.

(4) No credit transfer shall apply to a certificate course in law.

(5) The minimum and maximum number of credits to be transferred in a diploma programme shall be the equivalent to six months of a course.

(6) The maximum number of credits to be transferred in a degree programme shall be the equivalent to two years of the programme.

(7) When a credit transfer is likely to give an advantage to a student in grade and score at the receiving institution it shall not be approved.

(8) Credit transfer shall not lie in university common core units.

(9) For the purpose of these Regulations—

- (a) "credit" means the equivalent of fifteen lecture hours of a unit; and
- (b) transferee gains an advantage because of a credit transfer if the transferee acquires a higher grade because of the credit transfer than the transferee would have earned in the legal education provider of origin.

PART IV — QUALITY STANDARDS

10. Quality standards

(1) The quality standards to be satisfied by a legal education provider for purposes of accreditation and quality assurance under these Regulations are set out in the Third Schedule to these Regulations.

(2) Notwithstanding the generality of paragraph (1) above, the quality standards to be met by a legal education provider shall include—

- (a) planning process and governance structure;
- (b) admission requirements, class size and enrolment data;
- (c) curriculum and modes of delivery;

[Subsidiary]

- (d) examinations and examination administration;
- (e) academic staff qualifications and workload;
- (f) research and publications;
- (g) infrastructure and resources;
- (h) library and library resources;
- (i) student services and support;
- (j) foreign qualifications and credit transfers; and
- (k) open learning and distance learning.

(3) The quality standards set out in the Third Schedule to these Regulations shall apply to programmes with are residential programmes of the legal education providers but shall not apply to distance or online learning programmes.

(4) A legal education provider shall—

- (a) comply with the quality standards and inspection guidelines set out in these Regulations;
- (b) comply with the lawful instructions issued by the Council or any other authority empowered to do so under the Act;
- (c) ensure that the legal education programme offered by the legal education provider is not revised or altered in any way to prejudice learners without the approval of the Council; and
- (d) submit an annual report of its activities and progress.

PART V — TERMINATION, SUSPENSION AND REVOCATION OF LICENCE

11. Termination

(1) A legal education provider may, by notice in writing to the Council, terminate a legal education programme.

(2) Where a legal education provider notifies the Council of its intention to terminate a legal education programme, it shall submit a winding up plan to the Council for approval and the winding up plan shall safeguard the interests of the students and staff.

(3) The Council shall, where a legal education provider fails to apply for the renewal of its licence in accordance with regulation 6, require the legal education provider to provide a winding up plan at least six months before the expiry of the licence.

12. Suspension

(1) The Council shall, by notice in Form CLE/L/003 set out in the First Schedule, suspend the licence of any legal education provider where that legal education provider has failed to comply with the terms and conditions of its licence; for a period not exceeding six months.

(2) The Council may, if it determines that a legal education provider is not carrying out its functions in a proper manner—

- (a) suspend the licence for such a period as the Council may determine; or
- (b) revoke the licence.

(3) Where a legal education provider has failed to comply with the terms and conditions of its licence, the Council shall issue a notice in writing requiring the legal education to take corrective action that may be specified by the Council in the notice.

(4) A legal education provider that has been issued with a notice by the Council in accordance with paragraph (3) shall on or before the notice period expires submit a recovery plan in relation to the action specified by the Council in the notice.

(5) Immediately the Council has received a recovery plan from a legal education provider, the Council—

- (a) shall schedule an audit to verify the contents of the report and if satisfied that the legal education provider has instituted appropriate measures to remedy

matters raised in the notice of suspension, lift the suspension, subject to conditions as the Council shall deem necessary; or

- (b) shall, where the Council shall have determined that a legal education provider has not remedied the matters raised in the notice of suspension after carrying out an audit, suspend the licence in Form CLE/L/004 set out in the First Schedule.

(6) The Council shall publish a notice in the *Gazette* and in at least one newspaper with a nationwide circulation the notice of suspension of the licence of a legal education provider.

13. Revocation

Where the Council, after carrying out an inspection of a legal education provider whose licence has been suspended in accordance with regulation 12, is not satisfied with the progress being made to comply with the provisions of the Act, these Regulations or the conditions of the Council, it shall revoke the licence of the legal education provider in form CLE/L/005 set out in the First Schedule to these Regulations.

14. Closure plan

(1) A legal education provider whose licence has been revoked by the Council shall, within two months of the revocation, submit to the Council a closure plan which shall, in addition to any other matter provided for under any other written law, provide for—

- (a) a management plan and process for the transfer of students to other legal education providers;
- (b) a management plan for the staff following the closure of the legal education provider; and
- (c) the end of the academic year in which accreditation is denied or revocation of the licence is made which shall be designated as the actual date of closure.

(2) Upon review of the closure plan, the Council may recommend—

- (a) that the legal education provider shall teach out the students on such terms as may be prescribed by the Council; or
- (b) that the legal education provider shall close the legal education programme immediately.

(3) Where the Council determines that a legal education provider shall teach out its students, that legal education provider shall—

- (a) not admit any new students;
- (b) teach out the students within one academic year of the revocation of the licence;
- (c) facilitate the transfer of students whose programme runs beyond the academic year;
- (d) maintain the library and other physical facilities required under these Regulations;
- (e) maintain adequate qualified staff to manage the course programme;
- (f) facilitate academic processes including graduation and attachment supervision; and
- (g) ensure that the operations of the institution's administrative bodies are not disrupted.

(4) Where the Council determines that a legal education provider shall close immediately, that legal education provider shall—

- (a) transfer all the students to other legal education providers; and
- (b) publish a notice in a newspaper with a nationwide circulation that the legal education provider shall no longer offer a legal education programme.

[Subsidiary]

(5) For the purpose of these Regulations, to "teach out" students means the process of ensuring that students complete a course of study without any change in structure or content of the programme by requiring that a legal education provider whose licence has been suspended or revoked retains adequate resources to complete the course of study.

15. Examinations

The Council shall conduct credible Bar examinations for students attending the Advocates Training Programme.

PART VI — MISCELLANEOUS PROVISIONS

16. Miscellaneous provisions

- (1) All documents submitted to the Council shall be in the English language.
- (2) The Council may levy fees for any application made in accordance with the Act and these Regulations as set out in the Second Schedule to these Regulations.
- (3) Fees once paid shall not be refunded.
- (4) A legal education provider which contravenes any of the provisions of these Regulations commits an offence.
- (5) Any person who contravenes any of the provisions of these Regulations commits an offence.
- (6) A member of the Council who is a member of staff or a faculty or is in any way connected to or interested in the affairs of a legal education provider that is the subject of accreditation shall not participate in the evaluation of that legal education provider's programme or inspection of its facilities.

FIRST SCHEDULE

[Reg. 4 (2).]

FORMS

FORM CLE/L/001

APPLICATION FOR ACCREDITATION

- 1. Name of the legal education provider
- 2. Physical address (Location)
- 3. Contact information:
 - (a) Postal address
 - (b) Telephone
 - (c) Fax
 - (d) Email
 - (e) Others
- 4. Date of application
- 5. Physical address of legal education programme
- 6. Programme level (degree, diploma, certificate, etc.)
- 7. Planning process and governance structure
- 8. Admission requirements, class size and enrolment data
- 9. Curriculum and modes of delivery

- 10. Examinations and administration of examinations
- 11. Academic staff and qualifications
- 12. Research and publications
- 13. Infrastructure and resources
- 14. Library and library resources
- 15. Student services and support

On behalf of the legal education provider hereinabove mentioned, I
 the (designation) hereby make application for the licencing of the
 applicant as a legal education provider to offer a (certificate, diploma,
 post-graduate diploma, degree or post-graduate degree) in Kenya in the name and style
 of being an institution registered as a higher education institution
 under (laws of Kenya) (attach registration certificates) and
 confirm payment of Kshs. being the requisite application fee.

I declare that the information given herein is correct to the best of my knowledge and belief.

Name

Designation

Signature Legal education provider's stamp

FORM CLE/L/002

Licence No. CLE/

LICENCE TO OFFER LEGAL EDUCATION

THIS IS TO CONFIRM that of Post Office Box
 No. has on this day of,
 20, been accredited in accordance with section 8 of the Legal Education Act,
 2012, and regulation 5(4) of the Legal Education (Accreditation and Quality Assurance)
 Regulations, 2015, and is HEREBY licenced to offer legal education and training leading
 to the award of (certificate/diploma/post-graduate diploma/degree/
 post-graduate degree) only at its premises located at

This licence is issued in accordance with section 19(1) of the Legal Education Act,
 2012, and regulation 5(4) of the Legal Education (Accreditation and Quality Assurance)
 Regulations, 2015.

.....
 Chairperson,
 Council of Legal Education.

.....
 Secretary,
 Council of Legal Education.

[Subsidiary]

FORM CLE/L/003

NOTICE TO SUSPEND

The Council of Legal Education on this day of, 20 HEREBY GIVES NOTICE to of Post Office Box Number, situated at of its intention to suspend the licence no. issued on the day of, 20, on the basis of its audit/inspection findings as contained in the report dated the day of, 20 and as resolved by the Council of Legal Education during the meeting held on the day of, 20 and more particularly for the following reasons—

.....
.....

This notice is for a period of during which you are required to file a report of the Recovery Plan to remedy the issues herein contained.

This notice is issued in accordance with section 21(1) of the Legal Education Act, 2012, and regulation 12(1) of the Legal Education (Accreditation and Quality Assurance) Regulations, 2015.

.....
Chairperson, Secretary,
Council of Legal Education. Council of Legal Education.

FORM CLE/L/004

SUSPENSION OF LICENCE

TAKE NOTICE THAT the Council of Legal Education has on this day of, 20, suspended the licence to offer legal education and training issued to (name of institution) care of Post Office Box Number situated at issued on the day of, 20 The suspension shall be for a period of

TAKE FURTHER NOTICE that the (name of institution) shall with effect from the day of, 20 cease to offer the respective legal education programme until the suspension is lifted or otherwise as directed by the Council of Legal Education.

.....
Chairperson, Secretary,
Council of Legal Education. Council of Legal Education.

FORM CLE/L/005

REVOCAION OF LICENCE

TAKE NOTICE THAT the Council of Legal Education has on this day of, 20, revoked the licence to offer legal education and training issued to care of Post Office Box Number situated at and issued on the day of, 20 and HEREBY ORDERS that the shall with effect from the day of, 20 discontinue offering legal education and training in Kenya.

The shall within two months from the date of this notice submit and implement the closure plan for consideration by the Council of Legal Education.

The closure plan must provide for the following matters—

- (i) A management plan and process for the transfer of students to other accredited legal education providers.
- (ii) A management plan for staff following closure of the legal education programme.
- (iii) The end of the academic year in which the accreditation is denied or revocation of the licence is made which shall be the designated as the actual date of closure.

This notice is issued in accordance with section 21(3) of the Legal Education Act, 2012, and regulation 13 of the legal Education (Accreditation and Quality Assurance) Regulations, 2015.

.....
Chairperson,	Secretary,
Council of Legal Education.	Council of Legal Education.

FORM CLE/L/006

APPLICATION FOR RECOGNITION AND APPROVAL OF FOREIGN QUALIFICATIONS

Name of applicant

Physical address (Location)

Postal address

Telephone (Office)(Home)

(Mobile)

Email Others

Date of application

Applicants score at KCSE or equivalent (per subject)

.....

.....

Other qualifications (Per subject)

.....

.....

Type of programme

Certificate () Diploma () Undergraduate ()

Legal Education

[Subsidiary]

Post-graduate ()

Course name

Institution

Completed year

Unit code	Unit title	Year complete	CLE Equivalent	For official use only

The following documents MUST be attached—

- (i) Original and certified copies of academic certificates.
- (ii) Original and certified copies of transcripts.
- (iii) Proof of the institution's accreditation status certified by the consulate, embassy, High Commission or diplomatic mission of the place where the institution is located.
- (iv) A letter of recommendation of the applicant from the institution granting the academic award.
- (v) A copy of the curriculum being equated.
- (vi) Contact information of three referees.
- (vii) Proof of payment of the requisite fees.

I declare that the information given herein is correct to the best of my knowledge and belief.

Name

Designation

Signature stamp

FORM CLE/L/007

APPLICATION FOR CERTIFICATE OF EXPERIENTIAL LEARNING

Part A: Applicant's Details

Name

Date of birth

Postal address

Mobile No.

Email

Part B: Academic Qualifications

- (i) 'O' Level
- (ii) Other qualification

Part C: Professional Qualifications

Course	Year enrolled	Completed	Incomplete

The following documents MUST be attached to this application—

- (i) National ID
- (ii) Certified copies of academic certificates
- (iii) Copies of professional certificates
- (iv) Course syllabus
- (v) Recommendations from current employer
- (vi) Contact information of three referees

Declaration

I declare that to the best of my knowledge, the information I have supplied is complete and correct. I authorise the Council of Legal Education to conduct a search and retrieval of my academic and professional records from my previous institutions to verify the information contained in my application.

Applicants signature

Date

SECOND SCHEDULE**FEES****A. FEES FOR ACCREDITATION PROCESS**

No.	Item	Kshs.
1.	Certificate programme/Renewal	500,000
2.	Diploma programme/Renewal	900,000
3.	Post-graduate diploma/Renewal	1,600,000
4.	Undergraduate degree/Renewal	1,600,000
5.	Masters degree/Renewal	1,600,000
6.	Doctor of Philosophy, Doctor of Laws/Renewal	800,000

B. OTHER FEES

No.	Item	Kshs.
1.	Application for recognition and approval of foreign qualifications	10,000
2.	Application for recognition of experiential learning	50,000

[Subsidiary]

C. FEES FOR EXAMINATION

No.	Item	Kshs.
1.	Exam registration	1,000
2.	Examination fee per unit	5,000
3.	Examination re-sit	10,000
4.	Re-marking	15,000
5.	Application for exemption from Advocates' Training Programme	50,000

D. If a foreign legal education provider applies for an audit of its programmes for the purposes of recognition of its law graduates, a charge of Kshs. 1,000,000 shall be levied exclusive of the cost of travel, accommodation and other incidental costs of the Council of Legal Education.

 THIRD SCHEDULE

[Rule 10 (1).]

QUALITY STANDARDS

PART I — PLANNING PROCESS AND GOVERNANCE STRUCTURE

1. Vision, Mission and Strategic Objectives

(1) A legal education provider shall have a clear institutional Vision and Mission Statement.

(2) Where a legal education provider is a campus of a university or a college, the Vision and Mission Statement of the legal education provider shall not contradict that of the university or the college.

(3) The Vision and Mission statement of a legal education provider shall be aligned with these Quality Standards.

(4) The legal education provider shall clearly state its Objectives which shall include a commitment to impart knowledge, skills and other competencies to enable students to provide legal services in the country and globally.

(5) For the purpose of the renewal of a licence, a legal education provider shall demonstrate the strategies employed to achieve its vision, mission and objectives as outlined in its strategic plan.

(6) The legal education provider shall prepare a budget for its planned activities for a period of three consecutive years and shall provide the Council with a copy of the budget.

2. Governance Structure

(1) A legal education provider shall align its governance and management structure to the provisions of the Universities Act, 2012, and the Legal Education Act, 2012.

(2) A legal education provider shall—

- (a) Define its legal character and attach supporting documents. For university-level legal education, proof of authority to operate as a university shall be provided. If the legal education provider is a tertiary institution, proof of authorisation to operate as a tertiary institution from the relevant authority shall be provided.

- (b) Where it is a campus of a university or college, provide a governance structure of the university or college and demonstrate the relationship between the governance of the legal education provider with that of the university or college.

(3) The governance structure and management of a legal education provider shall include both academic and administrative structures and both shall be involved in decision-making.

(4) A legal education programme shall be supervised by a Dean who shall be a fulltime member of staff and shall have the qualifications of an Associate Professor.

(5) A legal education provider shall define and describe—

- (a) its policy on quality control and how this policy applies to the legal education programme it offers; and
- (b) its strategy for institutionalising internal quality control mechanisms in the legal education provider, and the maintenance of systems and structures.

PART II — ADMISSION REQUIREMENTS, CLASS SIZE AND ENROLMENT DATA

3. Certificate Programme

(1) The minimum admission requirements to a certificate legal education programme shall be—

- (a) a mean grade of C- (Minus) in the Kenya Certificate of Secondary Education examination or its equivalent with at least a C (Plain) in English or Kiswahili;
- (b) at least a Division III in the Kenya National Certificate of Education examination plus proof of work experience in the field of law of not less than five years; or
- (c) a certificate of experiential learning issued by the Council of Legal Education.

4. Diploma Programme

(1) The minimum admission requirements to a diploma legal education programme shall be—

- (a) a mean grade of C (Plain) in the Kenya Certificate of Secondary Education examination or its equivalent with at least a C+ (Plus) in English or Kiswahili;
- (b) at least one Principal Pass at the Kenya Advanced Certificate of Education examination;
- (c) a Pass in a certificate of law course offered at an accredited legal education provider; or
- (d) a certificate of experiential learning issued by the Council of Legal Education.

5. Undergraduate Degree Programme

(1) The minimum admission requirements for an undergraduate degree programme in law shall be—

- (a) a mean grade of C+ (Plus) in the Kenya Certificate of Secondary Education examination or its equivalent with a minimum grade of B Plain in English or Kiswahili;
- (b) at least three Principal Passes in the Kenya Advanced Certificate of Education examination;
- (c) a degree from a recognised university; or
- (d) a Credit Pass in a diploma in law examination from an accredited institution.

6. Advocates' Training Programme

(1) The minimum requirements for admission to the Advocates' Training Programme shall be—

- (a) a Bachelor of Laws (LLB) degree from a recognised university;

[Subsidiary]

- (b) where applicable, a certificate of completion of a remedial programme;
- (c) proof of academic progression in accordance with paragraphs 3 and 4 of this Schedule; and
- (d) a certificate of completion of the Pre-Bar Examination.

7. Post-Graduate Diploma programme

(1) The minimum requirements for admission to a post-graduate diploma programme shall be—

- (a) a degree in law (Second Class Upper Division) from a recognised university
Provided that the applicant satisfies the minimum requirements for admission to an undergraduate degree programme in law;
- (b) a degree in law (Second Class Lower Division) from a recognised university with a minimum of three years working experience:
Provided that the applicant satisfies the minimum requirements for admission to an undergraduate degree programme in law; or
- (c) a post-graduate certificate of experiential learning from the Council of Legal Education.

8. Masters in Law Programme

(1) The minimum requirements for admission to a masters degree in law programme shall be—

- (a) a degree in law (Second Class Upper Division) from a recognised university:
Provided that the applicant satisfies the minimum requirements for admission to an undergraduate degree programme in law; or
- (b) a degree in law (Second Class Lower Division) from a recognised university with a minimum of three years working experience:
Provided that the applicant satisfies the minimum requirements for admission to an undergraduate degree programme in law.

9. Doctorate Programme

(1) The minimum requirements for admission to a doctorate programme in law shall be a masters degree from a recognised university.

10. Institution Admission Authority

(1) A legal education provider may set other additional admission requirements as the legal education provider may deem appropriate:

Provided that additional admission requirements shall not be inconsistent with the Legal Education (Accreditation and Quality Assurance) Regulations, 2015, or these quality standards.

(2) A legal education provider shall not admit a person to a legal education programme on the basis of experiential learning if that person has not been issued with a certificate of experiential learning by the Council of Legal Education.

11. Executive Programmes

(1) Executive programmes shall not be used for the purpose of academic progression in legal education.

12. Class Size and Enrolment Data

(1) A legal education provider shall, in consultation with the Council of Legal Education, set the optimal size of a class on the basis of its infrastructure, academic staff and the other academic resources available to the legal education provider.

(2) Notwithstanding the generality of sub-paragraph (1), a legal education provider shall determine the size of a class with reference to—

- (a) the ratio of students to lecturer;
- (b) the physical facilities of the legal education provider; and
- (c) other available resources including library stock and library size.

(3) Where the Council of Legal Education determines that a size of a class for a legal education programme does not conform to the criteria set out in sub-paragraph (2), the Council may require that the legal education provider shall adjust the class size in order to conform to the criteria set out in sub-paragraph (2).

PART III — CURRICULA AND MODES OF DELIVERY

13. Curriculum Policy

(1) A legal education provider shall develop and implement a curriculum development policy which shall set out the legal education provider's strategy on curriculum development, structures and systems.

(2) A legal education provider shall provide the Council of Legal Education, as and when required to do so, with proof of internal approvals of the curriculum and any statutory approvals that may be required under any other written law.

(3) A curriculum development policy shall provide for—

- (a) the systems and structures for stakeholders' engagement;
- (b) the curriculum review cycle;
- (c) the strategies for sustainability and growth of the legal education programme; and
- (d) the assessment of curriculum impact and tracer studies.

14. Curriculum Structure

(1) A legal education provider shall submit its curriculum to the Council of Legal Education for evaluation before offering the legal education programme.

(2) A curriculum shall set out—

- (a) the title of the legal education programme;
- (b) a summary of the feasibility study and stakeholders' engagement and recommendations;
- (c) the niche area of the legal education programme;
- (d) the goals and objectives of the legal education programme;
- (e) the academic regulations of the legal education provider including regulations on—
 - (i) admission requirements;
 - (ii) credit transfer;
 - (iii) students' assessment criteria;
 - (iv) grading system;
 - (v) examinations, including moderation of examinations;
 - (vi) graduation requirements;
 - (vii) degree classifications;
 - (viii) thesis, dissertation or projects; and
 - (ix) information and communications technology integration;
- (f) the modes of delivery;
- (g) course evaluation;
- (h) a list of core courses and elective courses;
- (i) a course distribution table; and
- (j) a description of each course including—

[Subsidiary]

- (i) the title of the course;
- (ii) the contact hours for the course;
- (iii) the purpose of the course;
- (iv) the expected learning outcomes of the course;
- (v) the content of the course;
- (vi) the mode of delivery of the course;
- (vii) the instructional materials and equipment for the course;
- (viii) the course assessment;
- (ix) the core texts for the course; and
- (x) other reference material for the course.

(3) The minimum and maximum number of units per programme shall be—

- (a) a minimum of twenty units and a maximum of twenty-seven units including core units and attachment for a diploma programme; and
- (b) a minimum of forty two units and a maximum of fifty six units including core units for a degree programme.

15. Contact Hours and Semester Structure

(1) Unless the Council of Legal Education otherwise requires—

- (a) a certificate programme shall require a minimum of four hundred and eighty contact hours;
- (b) a diploma programme shall require a minimum of six hundred and forty contact hours;
- (c) an undergraduate degree programme shall require a minimum of one thousand and six hundred and eighty contact hours; and
- (d) a masters degree programme shall require a minimum of six hundred and thirty contact hours.

(2) An academic programme shall comprise of—

- (a) four units per semester including attachment and a break of three months at the end of the academic year for a certificate or diploma programme;
- (b) there shall be two semesters in each academic year, a break of three months at the end of the academic year and shall last for a period of four years for a degree programme;
- (c) there shall be two semesters in each academic year, a break of three months at the end of the academic year and shall last for a period of six years for degree programme offered through evening classes;
- (d) there shall be one academic year of twelve months and shall comprise of two semesters for a post-graduate-degree programme;
- (e) for a masters programme, the duration shall be for a minimum of one and a half years; and
- (f) for a doctorate programme, the duration shall be for a minimum of three years.

(3) The research to course-taught ratio for a masters programme shall be a minimum of 1:2.

16. Core Courses

(1) A certificate or diploma programme shall comprise of the following core units—

- (a) Elements of Contracts;
- (b) Law of Torts;
- (c) Elements of Commercial Law;
- (d) Elements of Property Law;
- (e) General Principles of Constitutional Law and Legal Systems;

- (f) Family Law and Succession;
 - (g) Elements of the Law of Business Associations;
 - (h) Civil Procedure;
 - (i) Criminal Procedure;
 - (j) Fundamentals of Bookkeeping and Accounting; and
 - (k) Fundamentals of Office Practice and Management.
- (2) An undergraduate programme shall comprise of the following core units—
- (a) Legal Research;
 - (b) Law of Torts;
 - (c) Law of Contracts;
 - (d) Legal Systems and Methods;
 - (e) Criminal Law;
 - (f) Family Law and Succession;
 - (g) Law of Evidence;
 - (h) Commercial Law including (Sale of Goods, Hire-purchase and Agency);
 - (i) Law of Business Associations (to include Insolvency);
 - (j) Administrative Law;
 - (k) Constitutional Law;
 - (l) Jurisprudence;
 - (m) Equity and the Law of Trusts;
 - (n) Property Law;
 - (o) Public International Law; and
 - (p) Labour Law.

PART IV — EXAMINATIONS AND EXAMINATIONS ADMINISTRATION

17. A legal education provider shall ensure the academic progression of its students is evaluated by examinations, course work, tutorials, projects and other assessment criteria to stimulate the practice of law in the students.

18. Structure of Examinations and Examinations' Policies

(1) A legal education provider shall develop an examinations policy that shall establish an examinations structure to guide the examinations process, including—

- (a) the structure and system of managing and administering an examination;
- (b) setting up and appointing staff responsible for the examination process;
- (c) establishing a quality assurance mechanism including internal and external moderation of examinations and scripts, and monitoring and evaluation of examinations;
- (d) developing examinations regulations, including students' academic progression, disciplinary systems and appeals systems;
- (e) the categories of examinations, assessments, grading systems and classification of academic qualifications;
- (f) management of students' transcripts and certificates;
- (g) minimum examinations requirements for graduation; and
- (h) management and disposal of examination records.

19. A legal education provider shall establish an independent examinations' office to implement an examinations policy.

20. Examinations Regulations

(1) A legal education provider shall set out examinations regulations that shall include—

[Subsidiary]

- (a) types and categories of examinations;
- (b) registration for examinations;
- (c) setting of examinations;
- (d) examination irregularities;
- (e) examination offences and penalties;
- (f) deferment of examinations;
- (g) marking and moderation of examinations and release of examination results;
- (h) invigilation of examinations;
- (i) re-sits;
- (j) exclusion from examinations; and
- (k) examination fees.

PART V — ACADEMIC STAFF AND QUALIFICATIONS

21. A legal education provider shall appoint qualified academic and other staff to ensure that there are quality outcomes for the legal education programme it offers and the attainment of the objects of the legal education programme.

22. A legal education provider shall submit to the Council a copy of its staff development policy.

23. A staff development policy shall provide for—

- (a) the establishment and a list of the academic staff of the legal education provider;
- (b) the academic and professional qualifications of the staff;
- (c) the units taught by each member of the academic staff and the work load of each member of the academic staff including their other responsibilities;
- (d) staff participation in research and proof of publications by staff;
- (e) participation by staff in mentorship and coaching programmes;
- (f) staff appraisal procedures; and
- (g) a staff code of conduct and a mechanism for dealing with staff discipline and complaints.

24. The ratio of fulltime academic staff to students shall be 1:15.

25. The workload of full-time staff shall be distributed as follows—

- (a) teaching – 60%
- (b) research – 30%
- (c) professional services – 10%

26. A member of the academic staff of a legal education provider who teaches full time at that legal education provider as well as fulltime at another legal education provider shall not be considered a fulltime member of the academic staff of either of the legal education providers.

27. Staff Qualifications

(1) A person shall qualify to be appointed as a member of the academic or technical staff of a legal education provider if that person possesses the following minimum qualifications—

- (a) at diploma level, a minimum of an undergraduate degree in law;
- (b) at undergraduate level, at least a masters degree in law;
- (c) at masters level, a doctorate in law or a masters in law with ten years' experience and a track record of publications; and
- (d) at doctorate level, at least a doctorate in law with five years' teaching experience.

28. Staff Development

(1) A legal education provider shall—

- (a) ensure that the members of the academic staff undergo pedagogy training;
- (b) ensure that members of the academic staff periodically upgrade their teaching skills;
- (c) undertake research and publication; and
- (d) continuously upgrade the professional and academic skills of the academic staff.

(2) A legal education provider shall set aside two and a half percent of the legal education provider's recurrent budget in each academic year for staff development.

PART VI — RESEARCH AND PUBLICATIONS

29. A legal education provider shall develop a Research and Publication Policy which shall provide for—

- (a) budget allocation for research for the previous three years and projected over five years;
- (b) proof of contribution to research and publications;
- (c) projected research activities; and
- (d) collaborations and partnerships in research.

30. A legal education provider shall set aside five percent of the legal education provider's recurrent budget in each academic year for research and publication activities.

PART VII — INFRASTRUCTURE AND RESOURCES

31. A legal education provider shall provide the Council of Legal Education with an inventory of the resources set aside and available to support the legal education programme of the legal education provider.

32. Notwithstanding the provisions of paragraph 31, a legal education provider shall provide the Council with information with respect to—

- (a) the ownership of the premises in use by the legal education provider for the legal education programme;
- (b) library and library resources;
- (c) information and communications technology facilities;
- (d) classrooms and lecture halls;
- (e) moot courts;
- (f) offices of the academic staff; and
- (g) tutorial rooms and discussion rooms.

33. A legal education provider shall maintain the following mandatory facilities—

- (a) classrooms and lecture halls;
- (b) a library with a section set apart for legal education and training;
- (c) where a legal education programme requires a moot court session, a room to hold the moot court; and
- (d) recreational and sanitation facilities.

34. The classrooms, lecture halls, moot court rooms and other rooms of a legal education provider shall be well-illuminated, well ventilated and shall offer full access to all persons including to persons with disabilities.

35. A legal education provider shall provide writing surfaces and seats with sufficient space for writing and reference materials.

[Subsidiary]

36. A legal education provider shall provide the students with adequate self-access facilities for independent learning.

37. Statutory and Regulatory Compliance in regards to Facilities

(1) A legal education provider shall comply with the provisions of—

- (a) the Public Health Act;
- (b) the Occupational Safety and Health Act, 2007;
- (c) the Building Code.

(2) All facilities provided by a legal education provider shall be—

- (a) safe for human habitation;
- (b) kept in a good state;
- (c) free from structural failures, cracking or dilapidation of building material, fabrics or components.

38. A legal education provider shall set aside ten percent of the legal education provider's recurrent budget in each academic year for capital and infrastructure development.

PART VIII — LIBRARY AND LIBRARY RESOURCES

39. A legal education provider shall provide a library for the legal education programme with up-to-date library resources.

40. A legal education provider shall develop a library policy and library development strategies.

41. Library Services

(1) A legal education provider shall comply with the Commission of University Education Library Standards and shall provide a library meeting the following minimum specifications—

- (a) an adequate sitting area that shall be capable of accommodation one-third of the student population in one session;
- (b) a stack area dedicated to legal education and training;
- (c) an information and communications centre connected to the internet;
- (d) a well-lit and well-ventilated reading area; and
- (e) easy access to sanitation facilities.

(2) A legal education provider shall maintain a library that meets international best practices in respect of its classification, functionality and adaptation to the library's users.

(3) A legal education provider shall appoint a librarian who shall have a minimum of a masters degree in library services as a member of the fulltime staff.

(4) The legal education provider shall keep in stock at least five titles of the latest editions of the reference material for each core unit and at least one copy for every five students for each title.

(5) The legal education provider shall stock—

- (a) journals, periodicals, encyclopaedias and other publications for reference;
- (b) books of general knowledge; and
- (c) e-resources.

(6) The legal education provider shall stock the following law reports—

- (a) up-to-date volumes of the Kenya Law Reports;
- (b) up-to-date volumes of the Kenya *Gazette*;
- (c) up-to-date volumes of the East African Law reports;
- (d) up-to-date volumes of the East Africa Court of Appeal Law Reports; and
- (e) up-to-date volumes of the All England Law Reports.

42. A legal education provider shall set aside five percent of the legal education provider's recurrent budget in each academic year for legal education library resources.

PART IX — STUDENT SERVICES AND SUPPORT

43. Student Services and Support Policy

(1) A legal education provider shall develop a Student Services and Support Policy.

(2) A Student Services and Support Policy shall provide for—

- (a) the student support services available to each student;
- (b) the total student population and where relevant, the records of the student population for the previous five years;
- (c) the projected student enrolment for five years;
- (d) student participation in governance of the legal education provider;
- (e) student scholarships, bursaries and other related support services including the legal education provider's initiatives to assist students in need to access such services;
- (f) student attendance and participation in programme delivery;
- (g) student completion rates and systems for monitoring achievement of outcomes;
- (h) counselling and student mentorship programmes;
- (i) student welfare and medical services;
- (j) student co-curricular activities; and
- (k) systems for addressing student discipline and complaints.

(3) A legal education provider shall set aside five percent of its recurrent budget in each academic year for student support services

PART X — FOREIGN QUALIFICATIONS AND CREDIT TRANSFERS

44. Foreign qualifications shall be evaluated on the following criteria—

- (a) the applicant's admission qualifications as compared to the entry requirements set out in the Legal Education Act, 2012;
- (b) the course content;
- (c) proof of the completion of the course being recognised and approved;
- (d) the contact hours and duration of the course being recognised and approved;
- (e) the accreditation status of the legal education provider from which the qualifications were obtained;
- (f) bilateral, regional or other similar agreements, if any;
- (g) the core courses under the Legal Education Act, 2012, and the Legal Education (Accreditation and Quality Assurance) Regulations, 2015; and
- (h) proof of proficiency in English.

PART XI — ONLINE AND DISTANCE LEARNING

45. A legal education provider may award a qualification for a course conducted through online or distance learning:

Provided that the programme has been accredited by the Council of Legal Education.