

Act No. 13 of 1963**THE ROYAL COLLEGE, NAIROBI (AMENDMENT)
ACT, 1963**

Assented to on behalf of the East African Common
Services Organization.

JULIUS K. NYERERE,

Date: 2nd October, 1963.

President of Tanganyika.

W. F. COUTTS,

Date: 26th September, 1963.

Governor-General of Uganda.

E. GRIFFITH-JONES,

Date: 8th October, 1963.

Acting Governor of Kenya.

**AN ACT TO AMEND THE ROYAL COLLEGE,
NAIROBI, ACT, 1960**

Date of Commencement: 18th October, 1963

ENACTED by the President of Tanganyika, the
Governor-General of Uganda and the Governor of Kenya on
behalf of the East African Common Services Organization
with the advice and consent of the East African Central
Legislative Assembly:—

1. This Act may be cited as the Royal College, Nairobi
(Amendment) Act, 1963.

Short title.

2. Section 2 of the Royal College, Nairobi, Act, 1960,
hereinafter referred to as the principal Act, is amended—

Amendment of
section 2 of Act
No. 4 of 1960.

(a) by deleting the definition of "Council for Overseas
Colleges" which appears therein; and

(b) by inserting, immediately after the definition of
"Endowment Fund", a new definition as follows—

" "East African Countries" means Tanganyika,
Uganda, Kenya and Zanzibar".

3. There shall be substituted for section 3 of the
principal Act a new section as follows—

Replacement of
section 3 of the
principal Act.

"Aims of the
College.

3. (1) It is hereby declared that the Royal
College, Nairobi, which shall be open to all persons
without distinction of race or creed, shall be

No. 16 of
1962.

governed and administered in accordance with the provisions of this Act and subject to the University of East Africa Act, 1962.

(2) The aims of the College shall be—

- (a) to provide facilities for University education, including technological and professional education, and for research either directly or through the medium of connected schools or connected institutes;
- (b) to assist in the preservation, transmission and increase of knowledge, and in the stimulation of the intellectual life and cultural development of East Africa; and
- (c) to preserve academic freedom and, in particular, the right of a college of the University of East Africa to determine who may teach, what may be taught, how it may be taught and who may be admitted to study.”.

Amendment of
section 4 of the
principal Act.

4. Subsection (3) of section 4 of the principal Act is amended—

(a) by substituting for paragraph (g) thereof a new paragraph as follows—

“(g) the making of arrangements with the University of East Africa and with any other University with a view to enabling students of the College to qualify for degrees and diplomas of any such University;”;

(b) by substituting for the word “towards” which appears in paragraph (h) thereof the word “to”;

(c) by deleting the words “institution for higher education established in East Africa” which appear in paragraph (i) thereof, and substituting therefor the following words—

“educational or research institution established in East Africa or elsewhere”.

5. Section 5 of the principal Act is amended—

Amendment of
section 5 of the
principal Act.

- (a) by substituting for subsection (2) thereof a new subsection as follows—

“(2) The Visitor shall be the Governor of Kenya:

Provided that if the Governor of Kenya so decides, he may appoint any person to be the Visitor and such person shall hold office for such period as the Governor may determine”;

- (b) by substituting for the expression “the Territories” which appears in subsection (3) thereof the expression “East Africa”;

- (c) by deleting the expression “Secretary of State” which appears in subsection (3) thereof and substituting therefor the expression “Governor of Kenya or any person authorized in that behalf”.

6. Section 7 of the principal Act is amended—

Amendment of
section 7 of the
principal Act.

- (a) by deleting the figures “26” which appear in subsection (1) thereof;

- (b) by substituting for subsection (2) thereof a new subsection as follows—

“(2) The Chairman, Vice-Chairman and Treasurer shall be appointed by the Visitor on the recommendation of the Council and shall hold office for a period of two years but shall be eligible for re-appointment”;

- (c) by substituting for the expression “Principal and Vice-Principal” which appear in subsection (3) thereof the expressions “Vice-Chancellor, Principal, Deputy Principal and Vice-Principal”;

- (d) by deleting the figures “26” which appear in subsection (4) thereof;

- (e) by deleting the words “Council for Overseas Colleges” which appear in paragraph (b) of subsection (4) thereof and substituting therefor the words “Council for Technical Education and Training in Overseas Countries”;

(f) by substituting for paragraph (c) of subsection (4) thereof a new paragraph as follows:—

- “(c) (i) three members shall be appointed by the Government of Tanganyika;
 (ii) three members shall be appointed by the Government of Uganda;
 (iii) three members shall be appointed by the Government of Kenya;
 (iv) one member shall be appointed by the Government of Zanzibar;”;

(g) by substituting for the word “seven” which appears in paragraph (d) of subsection (4) thereof the word “eight”;

(h) by deleting the word “ten” which appears in paragraph (b) of subsection (5) thereof;

(i) by substituting for the expression “High Commission” which appears in subsection (8) thereof the expression “Visitor”;

(j) by substituting for subsection (9) thereof a new subsection as follows—

“(9) The Visitor may, on the recommendation of the Council and subject to the approval of the Governor of Kenya, by Order, amend subsections (1), (2), (4) and (5) of this section so as to vary the membership and any such Order may contain such supplementary provisions, including provisions for the retirement of members, as may be necessary to give the full effect to the purposes of such Order”.

Amendment of
section 8 of the
principal Act.

7. Section 8 of the principal Act is amended—

(a) by deleting the words “appointed under paragraph (c) of subsection (4) of section 7” which appear in subsection (3) thereof; and

(b) by substituting for the proviso to subsection (7) thereof a new proviso as follows—

“Provided that if any three members of the Council so require a question shall not be determined by circulation of papers but shall be deferred for discussion at a meeting of the Council.”.

8. Subsection (2) of section 9 of the principal Act is amended—

Amendment of section 9 of the principal Act.

- (a) by inserting immediately before the words "have the following powers" which appear therein, the words "and to the University of East Africa Act, 1962";
- (b) by substituting for the words "and the consultation generally with the Council in accordance with the provisions of this Act" which appear in paragraph (d) thereof, the words "and the academic management of the College in general";
- (c) by substituting for the word "assigned" which appears in paragraph (i) (ii) thereof, the words "allotted by the Council".

9. Section 10 of the principal Act is amended—

Amendment of section 10 of the principal Act.

- (a) by deleting the words "of the academic staff" which appear in paragraph (c) of subsection (4) thereof;
- (b) by inserting immediately after the words "supplementary provisions as may be" which appear in subsection (7) thereof the word "deemed".

10. Section 12 of the principal Act is amended—

Amendment of section 12 of the principal Act.

(a) by substituting for subsection (2) thereof a new subsection as follows—

"(2) For each faculty there shall be a Board, to be known as the Faculty Board, the membership, powers and functions of which shall be determined by decrees made by the Council after consultation with the Academic Board";

(b) by substituting for subsection (3) thereof a new subsection as follows—

"(3) For each faculty there shall be a Dean who shall be the Chairman of the Faculty Board, and who shall be appointed by the Council for such period as the Council may determine:

Provided that where the Council has made no appointment, the Dean shall be elected by the Faculty Board from among the heads of departments in that Faculty for a term not exceeding one year."

Amendment of
section 13 of the
principal Act.

11. Section 13 of the principal Act is amended by deleting all the words appearing after the semi-colon in subsection (1) thereof and substituting therefor the words "and the Principal shall not be removed except by a resolution of the Council for good cause and with the approval of the Visitor".

Amendment of
section 14 of the
principal Act.

12. Section 14 of the principal Act is amended—

(a) by substituting for subsection (2) thereof a new subsection as follows—

"(2) The Council may appoint a Deputy Principal of the College who shall hold office for such period as the Council may determine";

(b) by adding a new subsection immediately after subsection (2) thereof as follows—

"(3) The Deputy Principal and Vice-Principal may exercise such of the powers and perform such of the duties of the Principal as the Principal may determine".

Amendment of
section 16 of the
principal Act.

13. Section 16 of the principal Act is amended by substituting for the expression "Bursar" which appears in subsection (1) thereof the expression "Finance Officer".

Amendment of
section 18 of the
principal Act.

14. Section 18 of the principal Act is amended by inserting immediately after the words "delegate to any person" which appear therein the words "or committee".

Amendment of
section 19 of the
principal Act.

15. Section 19 of the principal Act is amended—

(a) by substituting for the expression "the Territories" wherever it appears therein the expression "East Africa";

(b) by substituting for the word "Council" wherever it appears therein the word "Principal".

Amendment of
section 21 of the
principal Act.

16. Section 21 of the principal Act is amended by substituting for the expression "Secretary of State" which appears in paragraph (b) of subsection (2) thereof the expression "Visitor".

Replacement of
section 22 of the
principal Act.

17. There shall be substituted for section 22 of the principal Act a new section as follows—

"Investment
etc., of
moneys. 22. (1) The moneys standing to the credit of
the Endowment Fund shall be invested by the

Council in such securities as trustees are authorized to invest in under the provisions of any enactment of any of the countries of East Africa :

Provided that where any sums received by the Council for payment into the Endowment Fund are in the form of stocks and shares of a kind other than such securities, then the Council may in its discretion retain such stocks or shares without converting them into such securities.

(2) The moneys or any portion thereof standing to the credit of any of the accounts other than the Endowment Fund of the Council may be invested by the Council in such securities as the Council may think fit.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, any moneys standing to the credit of any of the accounts of the College, including the Endowment Fund, may be temporarily invested for a period not exceeding twelve months pending utilization and in accordance with such policy as the Council may from time to time determine.”.

18. There shall be substituted for section 24 of the principal Act a new section as follows—

Substitution of section 24 of the principal Act.

“Annual statement, report and audit.

24. (1) The Council shall cause to be prepared annually—

- (a) income and expenditure accounts for the previous financial year;
- (b) a statement of the assets and liabilities of the Council as at the last day of such year;
- (c) a report on the working of the College during such year.

(2) The income and expenditure accounts and the Balance Sheet of the College shall be audited by auditors appointed by the Council and after being duly certified by the Principal shall be laid before the Council together with an annual report in respect of the working of the College and the auditor's report at a general meeting.

(3) Copies of the annual report of the Council and of the Balance Sheet and income and expenditure accounts and of the auditor's report shall be sent to the Visitor, the East African Common Services Organization and each of the Governments of East Africa making grants to the College."

Amendment of
section 25 of the
principal Act.

19. Section 25 of the principal Act is amended—

- (a) by inserting immediately before the words "have power" which appear in subsection (1) thereof the words "and the University of East Africa Act, 1962";
- (b) by inserting immediately after the words "Academic Board may" which appear in subsection (2) thereof the words "subject to the provisions of the University of East Africa Act, 1962".