

**THE JOMO KENYATTA UNIVERSITY OF
AGRICULTURE AND TECHNOLOGY
ACT, 1994**

No. 8 of 1994

Date of Assent: 28th November, 1994

Date of Commencement: By Notice

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**1994 Jomo Kenyatta University of Agriculture and
Technology**

No. 8

An Act of Parliament to establish the Jomo Kenyatta University of Agriculture and Technology; to provide for the control, governance and administration of the University; and for connected purposes

ENACTED by the Parliament of Kenya, as follows:—

PART I—PRELIMINARY

1. This Act may be cited as the Jomo Kenyatta University of Agriculture and Technology Act, 1994, and shall come into operation on such date as the President may, by notice published in the Gazette appoint.

**Short title
and
Commencement.**

2. (1) In this Act, unless the context otherwise requires—

Interpretation.

“Alumni Association” means the Alumni Association of the University established under section 19;

“annual estimates” means the estimates prepared under section 25 (1) in respect of any financial year;

Cap. 210B.

“Chancellor” means the Chancellor of the University referred to in section 11;

“college within the University” means a college within the University established under section 6;

“Commission” means the Commission for Higher Education established by section 3 of the Universities Act;

“constituent college” means a college established under section 5;

“constituent college librarian” means the person appointed to be the librarian of a constituent college;

“the Council” means the Council of the University established under section 15;

“dean” means the dean of a faculty appointed under the Regulations;

“Deputy Vice-Chancellor” means a Deputy Vice-Chancellor appointed under section 13;

“Director of Postgraduate Studies” means the person appointed to be the Director of Postgraduate Studies of the University;

“faculty” means a faculty of the University established by the Regulations;

“Finance Officer” means the person appointed to be the Finance Officer of the University;

“graduate” means a person upon whom a degree or other academic qualification has been conferred by the University;

“institute” means an institute in the University established by the Regulations;

“lecturer” means a member of the staff of the University who is a full professor, associate professor, senior lecturer, lecturer or assistant lecturer or a person who holds any other teaching or research post which the Council, on the recommendation of the Senate, has recognized as a post having academic status in the University;

“librarian” means the person appointed to be the librarian of the University or of a constituent college, as the case may be;

“Principal” means a Principal of a college within the University appointed under section 14;

“Registrar” means a person appointed to be a Registrar of the University;

“Regulations” means regulations of the University made by the Council under section 29;

“school” means a school of the University established by the Regulations;

“the Senate” means the Senate of the University established under section 17;

“staff association” means an association of the staff of the University recognized by the Council as being an association representative of the staff of the University;

“student” means a person registered by the University for the purpose of obtaining a qualification of the University

or any other person who is determined by the Senate to be a student;

“students’ association” means an association of the students recognized by the Council as being an organization representative of the students of the University;

“the University” means the Jomo Kenyatta University of Agriculture and Technology established by section 3;

“University Management Board” means the board established under section 18;

“Vice-Chancellor” means the Vice-Chancellor of the University appointed under section 12.

(2) References in this Act to offices or authorities of a constituent college shall be construed by reference to the legislation or other instrument by which that college is established or governed.

PART II—ESTABLISHMENT AND FUNCTIONS OF THE UNIVERSITY

3. (1) There is hereby established a University to be known as the Jomo Kenyatta University of Agriculture and Technology.

**Constitution
of the
University.**

(2) The University shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property;
- (c) borrowing or lending money; and
- (d) doing or performing all such other things or act, for the furtherance of the provisions of this Act which may lawfully be done or performed by a body corporate.

(3) The University is the successor to Jomo Kenyatta University College of Agriculture and Technology established by the Jomo Kenyatta University College of Agriculture and

Technology Order, 1989 (now revoked) and subject to this Act, all rights, duties, obligations, assets and liabilities of the Jomo Kenyatta University College of Agriculture and Technology existing at the commencement of this Act shall be automatically and fully transferred to the University and any reference to the Jomo Kenyatta University College of Agriculture and Technology in any contract or document shall for all purposes be deemed to be a reference to the University established under subsection (1).

Functions and
objects of the
University.

4. (1) The functions and objects of the University shall be—

(a) to provide directly or indirectly or in collaboration with other institutions of higher learning, facilities for University education (including agriculture, scientific, cultural, technological and professional education), and integration of teaching, research and effective application of knowledge and skills to the life, work and welfare of the citizens of Kenya;

(b) to participate in the discovery, transmission and preservation and enhancement of knowledge and to stimulate the intellectual participation of students in the economic, technological, agricultural professional and cultural development of Kenya;

(c) to play an effective role in the development of agriculture and technology in conjunction with the industry and to provide extension services so as to contribute to the social and economic development of Kenya;

Cap. 210B.

(d) subject to the Universities Act, to co-operate with the Government in the planned development of University education and, in particular, to examine and approve proposals for new faculties, new departments, new degree courses or new subjects of study proposed to it by any constituent college or other post-secondary institution; to determine who may teach, what may be taught, how it may be taught and when it may be taught at the University.

(2) Admission to the University as candidates for degrees, diplomas, certificates or other awards of the University shall be open to all persons accepted as being qualified by the Senate, without distinction of ethnic origin, sect or creed and

no barrier based on any such distinction shall be imposed upon any person as a condition of his becoming, or continuing to be, a professor, lecturer, graduate or student of the University, or of his holding any office therein, nor shall any preference be given to, or advantage be withheld from any person on the grounds of ethnic origin, sect or creed.

(3) The University shall charge such fees or levy as may from time to time be approved by the Council from students admitted to the University for defraying expenses connected with their education.

5. The President may, on the advice of the Council and in consultation with the Commission, by order published in the Gazette—

Constituent colleges.

- (a) establish any college as a constituent college of the University;
- (b) declare an institution of learning or higher education or any training establishment to be a constituent college of the University.

6. (1) The President may, on the advice of the Council and in consultation with the Commission, establish colleges within the University.

Colleges within the University.

(2) A college established under this section shall consist of such faculties, institutes, centres, bureaux or schools, and shall have such functions and powers as may be provided by the Regulations.

7. (1) Subject to this Act, the Council shall have power to confer any degree or grant any diplomas, certificates or any other academic qualification which it is for the time being authorized by regulations of the University to confer or award.

Conferment of degrees etc.

(2) Subsection (1) shall apply to any honorary degree or academic distinction which the Council may wish to award to a person who has rendered distinguished service in the advancement of any branch of learning or who has otherwise rendered himself worthy of such a degree or academic distinction.

8. The Council in consultation with the Senate may withdraw any degree, diploma, certificate or other academic

Withdrawal of degrees, diplomas etc. in certain cases.

qualification conferred or granted under section 7 if subsequent upon such conferment or grant the Council is satisfied that—

- (a) the conferment or grant was contrary to any requirement prescribed under section 29 (1) (d); or
- (b) the qualification was obtained through fraudulent or other improper means.

**Award of
fellowships
etc.**

9. Subject to this Act, the University may award fellowship, scholarships, bursaries and prizes and make other awards which may be provided for in the Regulations upon such terms and conditions as may be prescribed.

PART III—MEMBERSHIP AND GOVERNANCE OF THE UNIVERSITY

**Membership
of the
University.**

10. The members of the University shall be—

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Deputy Vice-Chancellors;
- (d) the head of each constituent college;
- (e) the deputy head of each constituent college;
- (f) the Principals of colleges within the University;
- (g) the members of the Council;
- (h) the members of the Senate;
- (i) the members of the governing body of each constituent college;
- (j) the secretary to the governing body of each constituent college;
- (k) the lecturers of the University and those of constituent colleges;
- (l) the University librarian and the librarian of each constituent college;
- (m) the University Registrars of each constituent college;
- (n) the University Finance Officer;
- (o) the Alumni;
- (p) the students; and
- (q) such other members of the staff of the University or any other body formally admitted into association with the University as the Council may from time to time determine.

11. (1) The President shall, unless he sees it fit to appoint some other person thereto, be the Chancellor of the University. The Chancellor.

(2) If the President sees fit to appoint some other person to be the Chancellor, he shall in consultation with the Commission, appoint such person, and a person so appointed shall become a Chancellor and shall perform such functions and exercise such powers of the Chancellor as are provided under this Act.

(3) A person who is appointed by the President to be the Chancellor under subsection (2), shall hold office for six years but shall be eligible for re-appointment.

(4) The Chancellor—

(a) shall be the head of the University and shall, in the name of the University, confer degrees and grant diplomas, certificates and other awards of the University;

(b) may, from time to time, direct an inspection of the University or any inquiry into the teaching, research and other work of the University;

(c) may, from time to time, give such advice to the Council as he considers necessary for the development of the University;

(d) shall enjoy such other powers and privileges and perform such other functions as may be provided in the Regulations.

(5) Whenever the Chancellor (not being the President) is absent from Kenya or is for any reason unable to perform the functions of his office, the President or any person authorized by him in that behalf may appoint a person to perform those functions during the absence or inability of the Chancellor.

12. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the President on the advice of the Council. The Vice-Chancellor.

(2) The Vice-Chancellor shall be the chief executive of the University and shall—

(a) be the academic and administrative head of the University;

(b) have the overall responsibility for the direction, organization and administration of programmes of the University;

(c) be the chairman of the Senate and the University Management Board;

(d) be responsible to the Council for the general conduct and discipline of the students and staff of the University.

(3) The Vice-Chancellor shall hold office for such period as may be provided by the Regulations but shall be eligible for re-appointment.

The Deputy Vice-Chancellors.

13. (1) The Council shall, in consultation with the Chancellor, appoint a Deputy Vice-Chancellor or such Deputy Vice-Chancellors as shall be deemed necessary who shall, under the general direction of the Vice-Chancellor, exercise such powers and perform such duties as may be provided in the Regulations.

(2) A Deputy Vice-Chancellor shall hold office for such period as may be provided in the Regulations but shall be eligible for re-appointment.

Principals of colleges within the University.

14. (1) The Council shall, in consultation with the Chancellor, appoint a Principal for each college within the University, who shall be the academic and administrative head of the college and who shall, under the general direction of the Vice-Chancellor have such other powers as may be provided in the Regulations.

(2) A person appointed as Principal shall hold office upon such terms and for such period as may be provided in the Regulations.

The Council.

15. (1) There shall be a Council of the University which shall consist of—

(a) a chairman, a vice-chairman and a honorary treasurer all of whom shall be appointed by the President;

(b) the Vice-Chancellor;

(c) the Deputy Vice-Chancellors;

(d) the head of each constituent college;

(e) the Principal of each college within the University;

- (f) four persons elected by the Senate from among its members;
- (g) two members elected by the staff association;
- (h) two members elected by the students' association;
- (i) not more than three members co-opted by the Council;
- (j) the Permanent Secretary in the Ministry for the time being responsible for finance;
- (k) the Permanent Secretary in the Ministry for the time being responsible for education;
- (l) the Permanent Secretary in the Ministry for the time being responsible for agriculture;
- (m) the Permanent Secretary in the Ministry for the time being responsible for technical training;
- (n) the Permanent Secretary in the Ministry for the time being responsible for public works;
- (o) the Director of Personnel Management;
- (p) the secretary to the Commission;
- (q) two persons appointed by the President to represent the private sector;
- (r) two persons not being public officers, appointed by the President to represent the public interest;
- (s) two persons elected by the Alumni Association from amongst its members.

(2) The Permanent Secretaries who are Council members by virtue of paragraphs (j), (k), (l), (m) and (n) of subsection (1), the Director of Personnel Management and the secretary to the Commission shall be *ex officio* members.

(3) Subject to subsection (4), a member of the Council other than an *ex officio* member, shall hold office for a period of four years, but shall be eligible for re-appointment.

(4) The office of a member of the Council shall become vacant---

- (a) if, not being an *ex officio* member, he resigns his office in writing under his hand addressed to the secretary to the Council; or

- (b) if the Council is satisfied that the member is, by reason of physical or mental infirmity, unable to exercise the functions of his office; or
- (c) if he is adjudged bankrupt by a court of competent jurisdiction; or
- (d) if he is convicted of a criminal offence; or
- (e) upon his death.

(5) The Deputy Vice-Chancellor for the time being responsible for administration shall be the secretary to Council.

(6) Where the office of a member of the Council becomes vacant, the secretary in consultation with the Vice-Chancellor shall forthwith notify the vacancy to the respective appointing authority for action.

(7) The authority with regard to the procedure, conduct and regulation of the affairs of Council shall vest in the Council

**Functions
of the
Council.**

16. (1) Subject to this Act, the governance, control and administration of the University shall vest in the Council.

(2) Without prejudice to the generality of subsection (1), the Council shall have power—

- (a) to administer the property and funds of the University other than property and funds of a constituent college in such manner and for such purposes as shall promote the best interests of the University but the Council shall not charge or dispose of the immovable property of the University without the approval of the Chancellor;
- (b) to receive, on behalf of the University, donations, endowments, gifts, grants or other monies and to make legitimate disbursements therefrom;
- (c) to provide for the welfare of the staff and students of the University;
- (d) to generate and raise funds for the purposes of the University from within and outside the country;
- (e) to make after consultation with the Senate, regulations governing the conduct and discipline of the students of the University;

- (f) to determine, on the advice of the Senate, the maximum number of students to be admitted to the University at any one time from amongst those qualified for admission;
- (g) to enter into association with other universities, colleges or institutions of higher learning within or outside Kenya as the Council may deem necessary in the interest of the University.

17. (1) There shall be a Senate of the University which shall consist of:— **The Senate.**

- (a) the Vice-Chancellor who shall be the Chairman;
- (b) the Deputy Vice-Chancellors;
- (c) the head of each constituent college;
- (d) the deputy head of each constituent college;
- (e) the Principals of each college within the University;
- (f) the head of each faculty and the director of each institute, research centre or school;
- (g) the Director of Postgraduate Studies;
- (h) the chairman of each teaching department of the University and constituent college;
- (i) the University librarian;
- (j) the Registrars of the University;
- (k) one representative of each faculty board of the University and constituent college appointed by that board from among those members who are not members of the Senate by virtue of any other provisions of this subsection;
- (l) two members elected by the students' association;
- (m) any other member as may be provided for in the Regulations.

(2) The Deputy Vice-Chancellor for the time being responsible for academic affairs shall be the secretary to the Senate.

- (3) The Senate shall, in consultation with the Council—
- (a) determine from time to time, the minimum entrance qualifications and conditions applicable to persons seeking admission into the University academic programmes;
 - (b) subject to the provisions of section 15 (2) (c), determine the number of students to be admitted into each programme and advise the Council on persons who have satisfied the requirements for admission;
 - (c) satisfy itself regarding the content and academic standard of any course of study in respect of any degree, diploma, certificate or other award of the University and report its findings thereon to the Council;
 - (d) propose to the Council regulations for admission of eligible persons who on their volition have deferred their admission to the University, or who are not admitted at any one time owing to any maximum number set under section 15 (2) (b);
 - (e) propose regulations for consideration by the Council regarding the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University;
 - (f) decide which persons have attained the prescribed standard of proficiency and are otherwise fit to be granted a degree, diploma, certificate or other award of the University;
 - (g) initiate proposals relating to the conduct of the University's academic programmes or affairs generally and to make representations thereon to the Council;
 - (h) make regulations governing such other matters as lie within its powers in accordance with this Act or the Regulations.

18. (1) There shall be established a board to be known as the University Management Board.

(2) The Board shall consist of—

- (a) the Vice-Chancellor who shall be chairman;

- (b) the Deputy Vice-Chancellors;
- (c) the Principals of colleges within the University;
- (d) the Finance Officer;
- (e) the Registrars of the University; and
- (f) the person for the time being in charge of students' welfare.

(3) The Board may, from time to time co-opt such members as it may deem necessary.

(4) The Board shall perform such functions as the Council and the Senate may from time to time prescribe.

(5) Without prejudice to the generality of subsection (4), the Board shall—

- (a) be responsible for the day to day management of the University;
- (b) advise the Council and the Senate on the management, administration and academic affairs of the University;
- (c) carry out any other functions related or ancillary to or connected with the foregoing functions.

19. (1) There shall be an Alumni Association of the University which shall consist of graduates of the University and such other members as may be prescribed in the Regulations.

The Alumni
Association.

(2) The Alumni Association shall have the right to meet and discuss any matter relating to the University and transmit resolutions thereon to the Council or the Senate, as may be appropriate, and may exercise such other functions as may be prescribed in the Regulations.

(3) The Council shall make rules for the establishment and promotion of the Alumni Association.

20. (1) The academic staff of the University shall consist of the Vice-Chancellor, the Deputy Vice-Chancellors, the heads of constituent colleges, the Principals of colleges within the University, the University librarian, the librarian of each constituent college, the Registrars, the lecturers and all members of the staff who are engaged in teaching or research or extension.

Staff of the
University.

(2) The administrative staff of the University shall consist of the Vice-Chancellor, the Deputy Vice-Chancellors, the heads of constituent colleges, the deputy heads of constituent colleges, the Principals of colleges within the University, the Deans of faculties, the Directors or Chairmen of departments, the Registrars and Finance Officers of the University and of the constituent colleges, and such other members of the staff, not being engaged in teaching or research or extension as the Council may, from time to time, determine.

(3) All members of the staff of the University shall, subject to this Act, be appointed by the Council either—

(a) in the manner and upon the terms and conditions of service prescribed in the Regulations;

(b) in the case of a person seconded to the service of the University from service of another university, the Government or any other public service, on terms and conditions agreed between Council and the seconding body.

(4) The Council may, subject to such restrictions as it may impose, delegate either generally or specifically to any person or committee the power to appoint any member of staff of the University.

(5) All members of the staff of the University shall—

(a) be subject to the general authority of the Council and of the Vice-Chancellor;

(b) be deemed to be employed on a full time basis except as otherwise specifically provided by the Regulations or by the terms of a particular appointment.

(6) The academic and administrative staff of a constituent college shall be subject to the Order establishing the college.

Performance of functions in absence of the office-holder.

21. (1) In the event of the incapacity of the Vice-Chancellor, the Chairman of the Council in consultation with the Chancellor shall designate one of the Deputy Vice-Chancellors to carry out the functions of the Vice-Chancellor during the incapacity.

(2) In the event of the incapacity of a Deputy Vice-Chancellor the Chancellor may appoint one of the other Deputy Vice-Chancellors to perform the duties of the Deputy Vice-Chancellor during the period of incapacity.

(3) In the event of the simultaneous incapacity of the Vice-Chancellor and all Deputy Vice-Chancellors, the Chancellor, after consultation with the Chairman of the Council, may appoint any member of the academic staff from among the professors of the University or any other senior member of staff to perform the functions of the Vice-Chancellor during such incapacity.

(4) In the event of incapacity of a member of the staff of the University other than the Vice-Chancellor or the Deputy Vice-Chancellors, the Vice-Chancellor may appoint a suitable person to perform the functions of the member during such incapacity.

(5) In this section "incapacity" means inability for any reason to perform the functions of the office concerned.

PART IV—FINANCIAL PROVISIONS

22. The University shall prepare its long-term planning, programming, budgeting and funding projections in accordance with the Government forward budget and shall submit the same to the Commission for approval.

Long term
planning.

23. (1) The financial year of the University shall be the period of twelve months commencing on such day in each year as the Council may determine.

Financial year.

(2) In the event of any change in the financial year, and for the purposes of the transition from the old financial year to a new financial year consequent upon the change, the transitional period, whether more or less than twelve months, shall be deemed for the purposes of this Act to be a financial year.

24. (1) The Council may invest any of the funds of the University in securities in which for the time being trustees may by law invest trust funds or in any securities which the Treasury may from time to time approve for that purpose.

Investment of
funds.

(2) The Council may place on deposit with such banks as it may determine any moneys not immediately required for the purposes of the University.

25. (1) Before the commencement of a financial year the Council shall cause to be prepared estimates of the revenue and expenditure of the University for that year.

Annual
estimates.

(2) The annual estimates shall make provision for all the estimated expenditure of the University for the financial year concerned, and in particular shall provide—

- (a) for the payment of the salaries, allowances and other charges in respect of the staff of the University;
- (b) for the payment of the pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the University;
- (c) for the proper maintenance of the buildings and grounds of the University;
- (d) for the maintenance, repair and replacement of the equipment and other property of the University;
- (e) for the funding of the cost of teaching and research and extension activities of the University;
- (f) for the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matter as the Council may deem fit.

(3) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate, and shall be submitted to the Minister for approval, and after the Minister has given his approval the Council shall not increase the annual estimates without the consent of the Minister.

(4) No expenditure shall be incurred for the purposes of the University except in accordance with the annual estimates approved under subsection (3) or in pursuance of an authorization of the Council given with the prior approval of the Minister.

**Accounts and
Audit.**

26. (1) The Council shall cause to be kept all proper books and records of account of the income, expenditure, assets and liabilities of the University.

(2) Within a period of three months from the end of each financial year, the Council shall submit to the Auditor-General (Corporations) or an auditor appointed under subsection (3) the accounts of the University together with—

- (a) a statement of income and expenditure during that year; and

(b) a statement of the assets and liabilities of the University on the last day of the year.

(3) The accounts of the University shall be audited and reported upon in accordance with sections 29 and 30A of the Exchequer and Audit Act by the Auditor-General (Corporations) or by an auditor appointed by the Council under the authority of the Auditor-General (Corporations) given in accordance with section 29 (2) (b) of the Exchequer and Audit Act.

Cap. 412.

PART V—MISCELLANEOUS PROVISIONS

27. (1) The common seal of the University shall be kept in such custody as the Council directs and shall not be used except upon the order of Council.

**Common seal
and signification
of documents.**

(2) The common seal of the University shall be authenticated by the signature of the Vice-Chancellor, or of one other member of the Council duly authorized by Council in that behalf and one of the Deputy Vice-Chancellors.

(3) The common seal of the University when affixed to any document and duly authenticated under this section shall be judicially and officially noticed and, unless and until the contrary is proved, any necessary order or authorization of the Council under this section shall be presumed to have been duly given.

(4) All documents other than those required by law to be under seal, made on behalf of the Council and all decisions of the Council may be signified under the hand of the Chairman, the Vice-Chancellor or a Deputy Vice-Chancellor for the time being responsible for administration or any other member of the Council duly authorized by the Council in that behalf.

28. (1) Notwithstanding the provisions of any other written law, no public officer performing functions relating to the registration of companies or business names shall accept for such registration any name which includes together with word "University" the words "Jomo Kenyatta, Agriculture and Technology" unless the application for the registration is accompanied by the written consent of the Council.

**Protection of
name of
University.**

(2) Any person who, except with the written consent of the Council, uses the words "Jomo Kenyatta University of Agriculture and Technology" in furtherance of, or as, or in

connection with, any advertisement for any trade, business, calling or profession shall be guilty of an offence and liable to a fine not exceeding thirty thousand shillings or to imprisonment for a term not exceeding twelve months or to both:

Provided that nothing in this subsection shall be construed as preventing the *bona fide* use by any person of any title in pursuance of the grant to him of a degree, diploma, certificate or any other award of the University.

Regulations.

29. (1) In the performance of its functions under this Act, the Council shall, subject to this Act, make Regulations generally for the governance, control and administration of the University and for the better carrying into effect of the purposes of this Act, and in particular for—

- (a) the establishment of units, departments, centres, bureaux, faculties, institutes and schools of the University;
- (b) the description of degrees;
- (c) the description of diplomas, certificates and other academic awards;
- (d) the requirements for the award of degrees, diplomas, certificates and other academic awards;
- (e) the conduct of examinations;
- (f) the settlement of the terms and conditions of service, including the appointment, discipline, dismissal, remuneration and retirement benefits, of the members of the staff of the University;
- (g) the constitution and procedure of meetings of the Council and the establishment, composition and terms of reference of committees thereof;
- (h) prescribing the rules and regulations for the students' associations, the conduct and discipline of students and for any other matter relating to students as the Council deems fit;
- (i) providing for or prescribing anything, which under this Act, may be provided for or prescribed by regulations.

(2) Notwithstanding the provisions of subsection (1), the Council shall not make, amend or revoke any regulations

governing privileges or terms and conditions of service of the officers or offices established in the University without first ascertaining the opinion of Senate.

(3) Regulations shall only be made by a resolution passed at a meeting of the Council supported by a majority of not less than three-fourth of the members present and voting, being not less than half of the total membership of Council.

(4) Regulations made by the Council under this Act shall be published in the Gazette but sections 27, 31 (e) and 34 of the Interpretation and General Provisions Act shall not apply to the regulations.