

(Legislative Supplement No. 45)

LEGAL NOTICE No. 96

THE UNIVERSITIES ACT

(No. 42 of 2012)

THE NATIONAL INTELLIGENCE AND RESEARCH
UNIVERSITY COLLEGE ORDER, 2021

ARRANGEMENT OF PARAGRAPHS

Paragraph

PART I – PRELIMINARY

1 – Citation

2 – Interpretation

PART II – ESTABLISHMENT, POWERS AND FUNCTIONS OF
THE UNIVERSITY COLLEGE

3 – Establishment of the University College

4 – Functions and objects of the University College

5 – Conferment of Degrees and Award of Certificates and Diplomas

6 – Award of Scholarships, Bursaries and other Awards

PART III – MEMBERSHIP AND GOVERNANCE OF THE
UNIVERSITY COLLEGE

7 – Membership of the University College

8 – The Principal

9 – The Deputy Principal

10 – Deans, Directors and Chairpersons of Departments

11 – The Council

12 – Functions of the Council

13 – The Academic Board

14 – Management Board

15 – Students' Association

16 – Alumni Association

17 – Staff of the University College

18 – Performance of Functions on the Event of Incapacity of an
Office Holder

PART V – FINANCIAL PROVISIONS

19 – Financial Year

20 – Annual Estimates.

21—Investment of Funds

22—Accounts and Audit.

PART VI — MISCELLANEOUS PROVISIONS

23—Common Seal and Signification of Documents

24—Statutes

25—Protection of Name

26- Instruments of Accreditation

27—Interpretation of Order

28—Conversion into a fully-fledged University

29— Transitional

30— Variation and Revocation of Order

THE UNIVERSITIES ACT

(No. 42 of 2012)

IN EXERCISE of the powers conferred by section 20(3) of the Universities Act, 2012, the Cabinet Secretary for Education makes the following Order —

THE NATIONAL INTELLIGENCE AND RESEARCH
UNIVERSITY COLLEGE ORDER, 2021

PART I — PRELIMINARY

1. This Order may be cited as the National Intelligence and Research University College Order, 2021. Citation.
2. In this Order, unless the context otherwise requires — Interpretation.
- “Academic Board” means the Academic Board of the University College established under paragraph 13;
- “Act” means the Universities Act; No. 42 of 2012.
- “Alumni association” means the alumni association of the University College established under paragraph 16;
- “Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to higher education;
- “Chancellor” means the Chancellor of the National Defense University;
- “Council” means the Council of the University College established under paragraph 11;
- “Deputy Principal” means the Deputy Principal appointed by the Council of the University College under paragraph 9;
- “Director-General” means the Director-General of the Service, appointed under section 7 of the National Intelligence Service Act;
- “faculty” means a faculty of the University College established under the Statutes;
- “financial year” means the financial year of the University College as provided for under paragraph 19; No. 28 of 2012.
- “graduate” means a person upon whom a degree has been conferred in accordance with paragraph 5;
- “incapacity” means inability to perform functions of the office concerned;
- “institute” means an institute of the University College established under the Statutes;
- “lecturer” means a member of the staff of the University College who is, in terms of appointment, a Professor, an Associate Professor, Senior Lecturer, Lecturer, Assistant Lecturer, or Tutorial Assistant, or a person who holds any other teaching post which the Council has recognized as a post having academic status in the University College;
- “librarian” means the person appointed to be the librarian of the University College;

“Management Board” means the Management Board of the University College established under paragraph 14;

“National Intelligence Service” means the disciplined civilian service established under section 242(1) of the Constitution;

“National Intelligence Service Council” means the Council established under Section 64(1) of the National Intelligence Service Act;

“Principal Secretary” means the Principal Secretary for the time being responsible for matters relating to higher education;

“Principal” means the principal of the University College appointed under paragraph 8;

“professor” means a professor of the University College;

“Registrar” means the registrar appointed by the Council of the University College;

“school” means a school of the University College established under the Statutes;

“Senate” means the Senate of the University;

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

“Statutes” means Statutes of the University College made by the Council under this Order;

“student” means a person registered by the University College for the purposes of obtaining a qualification of the University College or any other person who is determined by the Academic Board to be a student;

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

“University College” means the National Intelligence and Research University College established under paragraph 3;

“University” means the National Defense University-Kenya; and

“Vice-Chancellor” means the Vice-Chancellor of the University.

PART II – ESTABLISHMENT, POWERS AND FUNCTIONS OF THE UNIVERSITY COLLEGE

3. (1) There is established a university college to be known as the National Intelligence and Research University College which shall be a constituent college of the National Defence University- Kenya.

Establishment of the University College.

(2) The University College 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 as well as transferring, selling, leasing, charging or in any other way disposing of absolute or partial rights and interests in any movable and immovable property;
 - (c) borrowing or lending money, receiving grants, gifts and donations for purpose of furthering education;
 - (d) entering into contract with other institutions, organizations, bodies corporate or individual persons and;
 - (e) doing or performing such other things or acts necessary for the proper discharge of its functions under this Order, which may lawfully be done or performed by a corporate body.
- (3) The seat of the University College shall be within Nairobi County.

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

- (a) developing and maintaining a specialized institution of higher learning offering high quality university education for the benefit of individual learners and the intelligence community;
- (b) providing resources for university level education, training and research and for the establishment of faculties, departments, institutes and such other institutional arrangements for the purpose of enabling the University College to fulfill its mission;
- (c) participating in the discovery, preservation, processing and dissemination of knowledge for the betterment of humankind and providing an opportunity for development of intellectual activities, academic freedom and scholarly acumen;
- (d) identifying, admitting and training qualified students drawn from the intelligence community;
- (e) conducting examinations for such academic awards as may be provided for in the Statutes pertaining to the University College;
- (f) recruiting, retaining and supporting the highest quality academic and management staff;
- (g) determining who may teach, what may be taught and how it may be taught at the University College within the philosophy and objects of the University College;
- (h) developing, reviewing and implementing academic programmes and determining methods of instruction and research;
- (i) developing and managing the Institution's land, facilities and equipment to support the goals of the University College;
- (j) developing and establishing, affiliate colleges and campuses, schools, institutes, faculties and centers for education that the University College Governing Council may determine;

Functions and the objects of the University College.

- (k) implementing an organizational structure that supports the attainment of the goals;
 - (l) providing appropriate facilities for sports and other extra-curricular activities to support students' wholesome development;
 - (m) providing appropriate learning materials, including books, journals and equipment;
 - (n) providing adequate equipment and facilities for a high quality education including classrooms, library resources, laboratories, research facilities, classrooms and buildings to support various programmes;
 - (o) establish partnerships and linkages with other local, regional and international universities, research institutions and industry;
 - (p) institute and award fellowships, scholarships, bursaries, prizes and other such awards to aid study, research and outreach activities;
 - (q) participate in educational conferences, seminars and workshops;
 - (r) undertake research and publish research findings and other relevant and important findings for the benefit of the society;
 - (s) providing professional development opportunities to staff and enhance their individual growth, job performance and leadership capabilities; and
 - (t) providing ancillary services.
- (2) Admission to the University College as candidates for degrees, diplomas, certificates, or other awards shall be as per admission criteria set by the Statutes.

5. (1) The degrees and postgraduate diplomas to be awarded by the University College shall be the degrees and postgraduate diplomas conferred by the National Defence University-Kenya.

Conferment of Degrees and Award of Certificates and Diplomas.

(2) Notwithstanding subparagraph (1), the University College shall have powers to grant diplomas, certificates, or other academic qualifications which may, for the time being, be authorized by the Statutes of the University College.

6. Subject to this Order, the University College may award scholarships, bursaries and prizes and make other awards which may be provided for by the Statutes.

Award of Scholarships, Bursaries and other Awards.

PART III — MEMBERSHIP AND GOVERNANCE OF THE UNIVERSITY COLLEGE

7. The members of the University College shall be —

- (a) the Chancellor of the National Defence University- Kenya;
- (b) the Vice-Chancellor of the National Defence University- Kenya;

Membership of the University College.

- (c) the Principal;
- (d) the Deputy Principals;
- (e) the members of the Council;
- (f) the members of the Academic Board;
- (g) the librarian of the University College;
- (h) the professors of the University College;
- (i) the lecturers of the University College;
- (j) the Registrars;
- (k) the Finance Officer;
- (l) the Dean of students;
- (m) the Director of ICT services;
- (n) the Head of legal services for the University College;
- (o) the students of the University College;
- (p) the Alumni association; and
- (q) such other members of staff of the University College or any other body formally admitted into association with the University College, as the Council may from time to time determine.

8. (1) There shall be a Principal of the University College who shall be appointed by the University College Council.

The Principal.

(2) The Principal shall be the chief executive officer of the University College and shall—

- (a) be the academic and administrative head of University College;
- (b) have overall responsibility of the direction, organization, administration and programmes of the University College; and
- (c) have such powers and duties as may be provided by the Statutes.

(3) The Principal shall hold office for a period of five years and upon such terms as maybe spelt out in the instrument of appointment of five years and shall be eligible for re-appointment for a further term of five years.

9. There shall be Deputy Principal of the University College who shall be appointed through a competitive process by the University College Council.

The Deputy Principals.

10. (1) The Council shall, after a competitive process, appoint for each faculty, school, institute, center, or department, a Dean, Director, or a Chairman who shall be the academic and administrative head of the faculty, school, institute, center, or department and shall, under the general direction of the Principal, have such powers and duties as may be provided by Statutes.

Deans, Directors and Chairpersons of Departments.

(2) A person appointed as Dean, Director or Chairman shall hold office upon such terms and for such period as may be provided by the Statutes and shall, upon the expiration of that period, be eligible for reappointment for one further term.

11. (1) There shall be a Council of the University College which shall be appointed by the National Intelligence Service Council. The Council.

(2) The Council shall consist of—

- (a) the Director-General of the National Intelligence Service, who shall be the Chairperson;
- (b) the Vice-Chancellor of the National Defence University-Kenya;
- (c) the Principal Secretary responsible for Treasury or his/her appointee;
- (d) the Principal Secretary responsible for Interior and Co-ordination of government services or his/her appointee;
- (e) the Principal Secretary for Foreign Affairs or his/her appointee;
- (f) the Principal Secretary in charge of university education or his/her appointee;
- (g) the Inspector-General of Police;
- (h) one Senior Academician, being an employee of the University College with experience in higher education;
- (i) one person from the public or the private sector with vast resource mobilization skills; and
- (j) the Principal of the University College, who shall be the Secretary to the Council and an *ex officio* member.

(3) Subject to sub-paragraph (4), the terms of office of the members of the Council shall be as provided for by the instrument of their appointment.

(4) The Office of a member of the Council shall become vacant if the member —

- (a) not being an *ex-officio* member, resigns from office in writing addressed to the Principal as the Secretary of the Council;
- (b) is, by reasons of physical or mental infirmity, unable to exercise the functions of the office; and
- (c) dies; or
- (d) is otherwise unable or unfit to continue being a member of the council.

(4) Where the office of a member of the Council becomes vacant, the Principal shall notify the vacancy to the appointing authority within fourteen days.

(5) The procedure, conduct and regulation of the affairs of the Council shall be in accordance with this Order and the Statutes.

(6) The Council shall exercise prudent leadership, innovative enterprise, and good judgment in directing the University College in the best interest of the University College.

12. (1) Subject to this Order, the Council shall be the governing body of the University College through which the University College shall act and—

Functions of the Council.

- (a) shall administer the property and funds of the University College in a manner and for the purposes which shall promote the interest of the University College; but the Council shall not charge or dispose of immovable property of the University College except in accordance with the procedures laid down by the Government of Kenya;
- (b) shall receive, on behalf of the University College, donations, endowments, gifts, grants or other moneys and make disbursements therefrom to the University College or other bodies or persons;
- (c) shall approve the appointment criteria and the terms and conditions of service of staff who are not members of the National Intelligence Service;
- (d) shall provide for the welfare of the staff and students of the University College;
- (e) with the approval of the National Intelligence Service Council may enter into association with universities, other university colleges or other institutions of learning, whether within Kenya or otherwise, as the Council may deem necessary and appropriate;
- (f) may, after consultation with the Academic Board, make regulations governing the conduct and discipline of the students of the University College; and
- (g) perform such other duties as may be contained in the Statutes and may have such other powers as contained in the Act.

(2) 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 signed under the hand of the Chairman, the Principal or any other members of the Council generally or specifically authorized by the Council in that behalf.

(3) The Council shall ensure that a proper management structure is in place and that the structure functions to maintain corporate integrity, reputation and responsibility of the University College.

(4) The Council shall monitor and evaluate the implementation of strategies, policies, and management criteria and plans of the University College.

(5) The Council shall constantly review the viability and financial sustainability of the University College, and shall do so once every year.

(6) The Council shall ensure that the University College complies with all the relevant laws, regulations, governance practices, accounting and auditing standards.

(7) The Council may delegate to any Committee or to any member, officer or employee the exercise of some of its functions or duties under this Order or any written law.

13. (1) There shall be an Academic Board of the University College which shall consist of—

The Academic Board.

- (a) the Principal, who shall be the Chairperson;
- (b) the Deputy Principals;
- (c) the Deans of the Schools, and Directors of Institutes and Centres;
- (d) the heads of the teaching departments of the University College;
- (e) the Registrar in charge of academic affairs;
- (f) the Librarian;
- (g) the Dean of Students;
- (h) all full Professors of the University College;
- (i) the Director of ICT services;
- (j) one representative of each of the faculty or school boards appointed by the respective boards from among its members; and
- (k) two members elected by the students' association, who shall however not be entitled to attend deliberations of the Academic Board on matters which are considered by the chairman of the Academic Board to be confidential and which relate to examinations, the general discipline of students, and other related matters.

(2) The Deputy Principal (Academics), who shall be the Secretary to the Academic Board.

(3) The Academic Board shall have the following powers and duties —

- (a) satisfying 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 College and reporting its findings thereon to the Senate;
- (b) proposing regulations for consideration by the Senate regarding the eligibility of persons for admission to a course of study;
- (c) proposing regulations for consideration by the Senate regarding the standard of proficiency to be gained in each examination for a degree, diploma, certificate or other award of the University college;

- (d) deciding 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 College and reporting its decision thereon to the Senate;
- (e) making regulations governing such other matters as are within its powers in accordance with this Order or the Statutes; and
- (f) overseeing over academic programmes including learning resources, quality assurance, appraisal of programmes and academic awards.

(4) Notwithstanding any of the provision of this Order, the Senate shall not initiate any action in respect of paragraph (a), (b), (c) or (d) of subparagraph (3) except upon receipt of a report or proposal thereunder, and the Senate shall not reject any such report, or reject or amend any regulations as proposed without further reference to the Academic Board.

14. (1) There shall be a Management Board of the University College which shall be responsible for assisting the Principal in the implementation of University College policies.

Management
Board.

(2) The membership of the Management Board shall consist of—

- (a) the Principal, who shall be the Chairperson;
- (b) the Deputy Principal (Finance and Administration), who shall be the Secretary;
- (c) the Deputy Principals;
- (d) the Registrars;
- (e) the Chief Security Officer;
- (f) the Head of legal services
- (g) the Finance Officer; and
- (h) such other member of senior management as the Council may determine

(3) The functions of the Management Board shall include assisting the Principal in the day to day management of the University College and shall, in this respect, be responsible for —

- (a) the efficient management of the human, resources, programmes, facilities and finances of the University College;
- (b) planning for the development and needs of the University College;
- (c) developing strategies for the generation of revenue to secure adequate financial support for the University College;
- (d) making proposals to the Council and the Academic Board on policies that have institution wide application;

- (e) overseeing the design, procurement and installation of the technological infrastructure required to run the University College;
- (f) reviewing regulatory requirements affecting staff and students including but not limited to Occupational Health and Safety Administration;
- (g) formulating and continuous development of a strategy for information and communication technology in furtherance of University College aims and objectives;
- (h) identifying of methods of maximizing and improving the communication strategy;
- (i) coordinating the University College strategic and development plans; and
- (j) any other matters related to the management of the University College.

15. (1) Pursuant to Section 41 of the Universities Act amendment 2016, there shall be a Student Association of the University College which shall be established in accordance with the statutes.

Student's
Association.

(2) The association shall have the following functions—

- (a) providing moral and academic leadership to all students;
- (b) promoting high ethical standards, integrity, honesty, transparency and cohesion among students’;
- (c) providing a forum where students can exercise their leadership skills; and
- (d) providing student representation in the Academic Board.

16. (1) There shall be an Alumni Association of the University College which shall consist of graduates of the University and such other persons as may be provided for in its constitution and the statute.

Alumni
Association.

(2) The Alumni Association shall exercise such powers and functions as may be provided for in its constitution and the Statute which shall include—

- (a) bringing all the graduates of the university college together for their mutual affirmation
- (b) maintaining liaison between the members and the university college;
- (c) mobilizing alumni support for the benefit of the university college;
- (d) serving as a platform for resource mobilization for the university college;
- (e) providing mentorship opportunities;
- (f) organizing events, meetings and conferences for the alumni and the community;

- (g) conducting other programs and activities the association may consider incidental or conducive to the attainment of its objectives; and
- (h) organizing National Defence University College alumni chapters in different parts of the world.
- (i) performing such other functions as may be specified in its constitution and the statutes.

17. (1) The academic staff of the University College shall consist of—

Staff of the University College.

- (a) the Principal;
- (b) the Deputy Principals;
- (c) the Deans and Directors of faculties, schools, centers and institutions;
- (d) the Chairpersons of Departments;
- (e) the Librarian; and
- (f) all members of staff who are engaged in teaching, research and outreach.

(2) The administrative staff of the University College shall consist of —

- (a) the Principal;
- (b) the Deputy Principals;
- (c) the Registrars;
- (d) the Chairpersons of Departments;
- (e) the Finance Officer;
- (f) the head of legal services;
- (g) the Deans and Directors of faculties, schools, centers and institutions;
- (h) the Directors of administrative units; and
- (i) such other members of staff, not engaged in teaching or research, as the Council may from time to time determine

(3) The technical staff of the University College shall consist of the staff engaged in laboratory, ICT support, technology innovation hub, field instruction, workshops and such similar environs in the teaching departments under the general direction of the heads of the teaching departments, and as the Council may from time to time determine.

(4) The support staff of the University College shall consist of those staff engaged in general duties and as the Council may from time to time determine.

(5) All members of staff of the University College shall, subject to this Order, be appointed either —

- (a) in the manner and upon the terms and conditions of service prescribed by the Statutes; or

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

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

(7) All members of staff of the University College shall —

- (a) be subject to the general authority of the Council and of the Principal; and
- (b) be decided to be employed in accordance with the Statutes or as otherwise specifically provided by the Statutes or by the terms of a particular appointment.

18. (1) In the absence of the Principal, the Council may appoint one of the Deputy Principals to carry out the functions of the Principal for a period of up to three months.

Performance of Functions on the absence of an office holder.

(2) In the absence of the Principal and the Deputy Principals, the Chairperson of the Council may, in consultation with the Chancellor, appoint any member of the academic staff of the University College to perform the functions of the Principal for a maximum of three months.

(3) In the absence of a member of staff of the University College other than the Principal and Deputy Principals, the Principal may appoint a suitable person to perform the functions of the said officer for a period of up to three months.

PART V- FINANCIAL PROVISIONS

19. The financial year of the University College shall be the period of twelve months commencing on the 1st July and ending on the 30th June in the following year.

Financial Year.

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

Annual Estimates.

(2) The annual estimates shall make provisions for all the estimated expenditure of the University College 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 College;
- (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 College;
- (c) for the proper maintenance of the buildings and grounds of the University College;
- (d) for the proper maintenance, repair and replacement of equipment and other movable property of the University College;
- (e) for the funding of the cost of teaching, research and outreach activities of the University College; and

- (f) for the creation of such funds to meet future or contingent liabilities in respect of retiring benefits, insurance or replacement of building or equipment and in respect of such other matters as the Council may deem fit.

(3) In drawing its annual estimates and development plans, the University College shall consult with the Director General- National Intelligence Service.

(4) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate and after such approval, the Council shall not increase any sum provided in the estimates without the consent of the Director General-National Intelligence Service.

(5) Expenditure shall not be incurred for the purpose of the University College except in accordance with the annual estimates approved under subparagraph (4) or in accordance with an authorization of the Council.

21. (1) The Council may invest any of the funds of the University College in securities, treasury bonds, trust funds or in any other securities which the Treasury may, from time to time, approve.

Investments 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 College.

22. (1) The Council shall cause to be kept all books and records of account of the University College revenue' and expenditure in accordance with the Public Finance Management Act.

Accounts and Audits.

No. 18 of 2012.

(2) Within a period of three months from the end of each financial year, the Council shall submit to the auditors the accounts of the University College together with —

- (a) a statement of income and expenditure during that year; and
- (b) a statement of the assets and liabilities of the University College on the last day of that year.

(3) Audit of both Public and Non-Public books of accounts shall be done in accordance with the Public Audit Act, 2015.

(4) The Auditor will submit to the Council the report of their audit as per the provision of the statutes and the Public Audit Act.

PART VI — MISCELLANEOUS PROVISIONS

23. (1) The common seal of the University College shall be kept in such custody and used only as the Council shall direct.

The Common Seal and Signification of Documents.

(2) The common seal of the University College shall be authenticated by the signatures of the Principal together with any other person duly authorized by the Council.

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

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

- (a) establishment of faculties, schools, and institutes of the University College;
- (b) description of degrees, diplomas, certificates, and other academic qualifications;
- (c) requirement for conferment of degrees and award of diplomas, certificates and other academic qualifications;
- (d) conduct of examinations;
- (e) prescribing fees and other charges;
- (f) setting the terms and conditions of service, including the appointment, dismissal and recommendation of retirement benefits of the members of the staff of the University College;
- (g) constitution and procedure of meetings of the Council, and the establishment, composition and terms of reference of committees of the Council; and
- (h) providing for or prescribing anything, which, under this Order, may be provided for or prescribed by Statutes.

Statutes.

Cap. 2.

(2) Notwithstanding subparagraph (1), the Council shall not make, amend or revoke any Statutes relating to the functions and privileges of the Principal or Academic Board without first ascertaining the opinion of the Academic Board.

(3) Statutes shall only be made by a resolution passed at a meeting of the Council supported by a majority of not less than three fourths of the members present and voting, being not less than two thirds of the total membership of the Council.

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

25. (1) Despite the provisions of any other written law, no public officer performing functions relating to the registration of companies, business or societies shall accept for such registration any name which includes the words "National Intelligence and Research" together with words "University College" unless the application for the registration is accompanied by the written consent of the Council.

Protection of Name.

(2) Any person who except with the written consent of the Council, uses the words "National Intelligence and Research" together with the words "University College" in furtherance of, or as, or in connection with, any advertisement for any trade, business, calling, or profession, commits an offence and shall be liable to a fine not

exceeding one million shillings or imprisonment for a term of twelve months, or both.

Provided that nothing in this paragraph 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 or certificate by the University College.

26. (1) The University College shall conspicuously display all its instruments of accreditation at such places as the Council may elect. Instruments of Accreditation.

(2) Where any instrument is revoked, the University College shall, within fourteen days of such revocation, return the original instrument of governance to the Commission.

27. This Order shall be valid and effectual in law according to its true intent and meaning and shall be construed, subject to the provisions of the Act, in the best interest of the University College and the promotion of its objectives. Interpretation of Order.

28. The status accorded to the University College by this Order as a constituent college of National Defence University-Kenya, shall be transitional only and the University College may initiate the necessary administrative and legal measures to ensure that the University College becomes a fully-fledged University under Section 24 of the Act and with the approval of the National Security Council. Conversion into a fully-fledged University.

29. (1) All students pursuing degree, diploma and certificate programmes under a Memorandum of Understanding or any other arrangement with any university or institution, shall, at the commencement of this Order, be allowed to complete their courses and be awarded degrees, diplomas and certificates of the university or institution to which they are admitted. Transitional.

(2) On the award of this Order and within twelve months thereafter the University College shall commence the admission of students.

30. This Order may be varied or revoked in accordance with the Act. Variation and Revocation of Order.

Made on the 28th May, 2021.

GEORGE A.O. MAGOHA,
Cabinet Secretary for Education.

