

(Legislative Supplement No. 64)

LEGAL NOTICE NO. 207

THE UNIVERSITIES ACT, 2012

(No. 42 of 2012)

THE MOI UNIVERSITY CHARTER

(L.N. 202 of 2013)

IN EXERCISE of the powers conferred by Section 26 of the Moi University Charter, 2013, the Moi University Council makes the following Statutes:—

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Statute I: Citation

1. These Statutes may be cited as Statutes of Moi University, 2013.
2. These Statutes shall be subject to the provisions of the Constitution of Kenya, the Universities Act, the Moi University Charter and any other relevant law.

Statute II: Definitions

In these Statutes, unless the context otherwise requires:

“Act” means The Universities Act, 2012;

“administrative staff” means a member of staff of the University who is appointed for general purposes of performing duties related to general management and administration of the University;

“Alumni Association” means an association of the University consisting of graduates and such other persons as stated in the Charter and these Statutes;

“Associate Dean” means a person appointed by the Vice-Chancellor to assist the Dean as provided for in the Statutes;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for university education;

“chairperson of Council” means the Chairperson of Council of the University as defined in the Charter;

“Chancellor” means the Chancellor of the University;

“Charter” means the Moi University Charter granted under Section 19 of the Act;

“campus” means a Campus established by the University pursuant to an Order made under Section 6 of the Charter;

“campus college” means a college established by the University pursuant to an order made under section 6 of the Charter.

“Centre” means a unit of the University established by these Statutes;

“College” means a College established within the University pursuant to an Order made under Section 6 of the Charter;

“College Management Board” means a Board established by the relevant Colleges as provided for under the Statutes

“constituent college” means a Constituent College of the University established under Section 5 of the Charter;

“Council” means the Council of the University established under Section 36(1) of the Act and Section 16 of the Charter;

“Chief Legal Officer” means a person appointed by Council to be in-charge of legal matters of the University as provided for in the Statutes;

“Dean of Students” means a person appointed by the Council to be in-charge of students welfare as provided for in the Statutes;

“Directorate” means a unit of the University established by these Statutes;

“Head of Department” means a chairperson of a teaching Department as provided in the Statutes

“Registrar” means a person appointed by the Council to assist the Deputy Vice Chancellors as provided by the Statutes;

“regulations” means Examination Rules and Regulations governing undergraduate, postgraduate, diploma and certificate programmes;

“university librarian” means a person appointed by the Council to be in-charge of provision of University Library services as provided by the Statutes;

“Dean” means a person appointed by the Council as a Dean of a School or Faculty as provided in the Statutes;

“Deputy Vice-Chancellor” means a Deputy Vice- Chancellor appointed by the Council of the University under Section 13 of the Charter;

“Director” means a person appointed by the Council to be designated as a Director in the University as provided in the Statutes;

“Deputy Director” means a person appointed by the Council to assist the Director in the University;

“faculty” means a faculty of the University established under the Statutes;

“finance officer” means a person appointed by Council to be in-charge of financial matters of the University as provided by the Statutes;

“graduate” means a person upon whom a degree of the University has been conferred or to whom a qualification

of the University has been awarded as determined by the Senate;

“Institute” means an institute of the University established under these Statutes;

“lecturer” means a member of staff of the University who is, in terms of appointment, a professor, an associate professor, senior lecturer, lecturer, assistant lecturer, tutorial fellow, graduate assistant, instructor or a person who holds any other teaching or research post which Council has recognized as a post having academic status in the University;

“researcher” means a member of staff of the University who is appointed to conduct scholarly or scientific inquiry and may also perform teaching duties;

“Principal” means a person appointed by the Council to be in-charge of a College or Campus College

“Senate” means the Senate of the University established under Section 18 of the Charter;

“School” means a School of the University established under the Statutes;

“Staff Association/Union” means an association or union of staff, recognized by the Council as being representative of the staff of the University;

“student” means a person registered by the University for the purposes of receiving instructions in a particular area of study with a view to 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 Council as being an organization representative of the students of the University and as provided by section 21 of the Charter;

“teaching staff” means a member of staff of the University who is, in terms of appointment, a lecturer of the University;

“technical staff” means a member of staff of the University who is appointed to conduct general clerical, laboratory and field courses, and assist in the conduct of lectures, demonstrations, examinations and research of the University;

“University” means Moi University established under Section 3 of the Charter;

“University Management Board” means the Management Board of the University provided by Section 43 of the Act and Section 19 of the Charter;

“University Secretary” means a person serving as Secretary to University Council;

“Vice-Chancellor” means the Vice-Chancellor of the University appointed under Section 12 of the Charter;

Statute III: The Chancellor

1. The Chancellor shall be appointed in accordance with the provisions of Section 38 (1) (a) of the Act.

2. A vacancy in the office of Chancellor shall be filled in accordance with the Act using the following procedure and vetting criteria;

- (a) The vacancy shall be declared by the University and an advertisement placed on the University website and at least two national daily newspapers of wide circulation and readership inviting members of Public, Senate and the Alumni Association to nominate suitable persons.
- (b) A joint Committee of Senate and Alumni Association shall be constituted by Senate to receive the names of all nominees and shortlist.

- (e) Letters of notification will be written to those who have been shortlisted to confirm whether they are willing to go through the vetting process and take up the appointment if successful.
- (d) Upon receipt of names of persons who have agreed to go through the vetting process and are willing to take up the appointment if successful, Senate shall vet them for suitability by reference to written reports from the
 - (i) Criminal Investigations Department;
 - (ii) Higher Education Loans Board;
 - (iii) Kenya Revenue Authority;
 - (iv) Ethics and Anti-corruption Commission; and
 - (v) any other relevant authority, or the public, whose information should be sought through an advertisement in two national newspapers of wide circulation and readership.
- (e) Any adverse information received under paragraph 2 shall be forwarded to the nominees for their response, and the response shall be placed before Senate for consideration.
- (f) Five names of nominees deemed to be most suitable shall be forwarded by the Senate to the Alumni association for ranking in order of preference.
- (g) The Senate shall forward the names of the top three applicants respectively ranked by the Alumni Association to the Cabinet Secretary for onward transmission to the President, who shall pick one of the persons so ranked for appointment as Chancellor.
- (h) This exercise shall be conducted under very strict confidence.

3. The person so appointed shall hold office and exercise the powers and functions provided in Section 38 of the Act.

Statute IV: The Vice-Chancellor

1. The Council shall competitively identify and recommend a person to be appointed as a Vice-Chancellor pursuant to the provisions of Section 39 of the Act.

2. To be appointed as a Vice-Chancellor, a person shall be required to be a Professor from a recognized university or other institution, and shall serve for a period of five years, renewable once for a further period of five years subject to satisfactory performance.

3. The Vice-Chancellor shall be the Chief Executive of the University and shall have the overall responsibility for the direction, organization, administration and academic programmes of the University, and shall be responsible to Council for the general conduct and discipline of staff and students.

4. The Vice-Chancellor shall be the Chairperson of Senate and the Management Board and shall, by virtue of the office, be a member of every Committee appointed by Council and Senate unless otherwise explicitly provided.

5. The Vice-Chancellor shall have general responsibility to the Council for promoting academic development and excellence, and for maintaining the efficiency and good order of the University and in consultation with the Chairperson of Council on occasions which he or she considers to be of necessity take such steps as he or she and the Chairperson of Council may deem expedient for safeguarding the interest of the University, provided that in all cases he or she shall make a report to Council at its next meeting.

6. Subject to the Provisions of the Charter, the Vice-Chancellor may assign or delegate any of his or her duties or functions and may withdraw any such delegation or assignment at any time.

7. The Vice-Chancellor shall have such other powers as may be conferred upon him or her by Council in accordance with the Charter.

8. The Vice-Chancellor may resign in writing addressed to the Chairperson of Council.

9. The Council may in consultation with the Chancellor recommend to the Cabinet Secretary the termination of appointment of the Vice-Chancellor in accordance with the Contract of Appointment.

Statute V: The Deputy Vice-Chancellors

1. There shall be such number of Deputy Vice-Chancellors as shall be determined and designated by Council from time to time and who shall be in charge of the following functions-
 - (a) Academics, Research & Extension;
 - (b) Student Affairs;
 - (c) Administration, Planning and Development; and
 - (d) Finance.
2. The Council shall through a competitive process recommend to the Cabinet Secretary, persons to be appointed as Deputy Vice-Chancellors pursuant to Section 35 of the Act.
3. A person appointed as a Deputy Vice-Chancellor be required to be the holder of a doctorate degree from a recognized university and have the status of at least an Associate Professor in a teaching Department of the University or an Associate Professor from any other recognized University or Institution.
4. A Deputy Vice-Chancellor, in charge of Academics, Research and Extension shall be the Head of the Academic Division and shall be responsible for all academic matters, research and extension activities of the University.
5. A Deputy Vice-Chancellor, in charge of Student Affairs, shall be the Head of the Student Affairs Division and shall be responsible

- for the welfare of students, co-curricular activities and any other related matters affecting students.
6. A Deputy Vice-Chancellor, in charge of Finance, shall be the Head of the Finance Division and shall be responsible for all financial matters.
 7. A Deputy Vice-Chancellor, in charge of Administration, Planning and Development, shall be the Head of the Administration, Planning and Development Division and shall be responsible for all Human Resource, Administrative matters, Planning, performance contracting and infrastructural development.
 8. Subject to the Charter and these Statutes, a Deputy Vice-Chancellor shall serve for a period of five years, which may, subject to satisfactory performance, be renewed for one further period of five years.
 10. Subject to the provisions of the Charter and these Statutes, the Vice-Chancellor may assign such other duties and responsibilities to a Deputy Vice-Chancellor as the Vice Chancellor may determine from time to time.
 11. A Deputy Vice-Chancellor may resign in writing addressed to Council through the Vice-Chancellor who shall then report to Council in accordance with his or her Contract of Appointment.
 12. The Council may, in consultation with the Vice-Chancellor, terminate the appointment of Deputy Vice-Chancellor in accordance with his or her Contract of Appointment.

Statute VI: Principals and Deputy Principals of Colleges and Campus Colleges

1. (i) There shall be a Principal for each College and each Campus College as established under Section 15 of the Charter.
(ii) There shall be a Deputy Principal for each College and Campus College who shall assist the Principal in his or her academic and administrative responsibilities.
(iii) A Principal of a College or Campus College shall, under the direction of the Vice-Chancellor, be responsible for the academic programmes and administration of the College or Campus College.
2. A Principal or Deputy Principal shall be competitively recruited by the Council.
3. A person appointed as a Principal or Deputy Principal shall be at least an Associate Professor in a teaching Department of the University and shall hold office for a period of five years which shall be renewable once for a further period of five years subject to satisfactory performance.
4. The Vice-Chancellor shall assign duties and responsibilities to a Principal or Deputy Principal.

5. A Principal or Deputy Principal may resign in writing addressed to the Vice- Chancellor who shall then report to Council.
6. The Council may terminate the appointment of a Principal or Deputy Principal in accordance with his or her Contract of Appointment.

Statute VII: Directors and Deputy Directors

1. (1) There shall be a Director for each Campus, Institute, and Directorate as shall be established by the Council from time to time.
(2) There shall be a Deputy Director for each Campus, Institute, and Directorate as shall be established by the Council from time to time.
2. (1) A Director shall, under the direction of the Vice-Chancellor, be responsible for the academic and or administration of a Campus, Institute or Directorate as the case may be.
(2) A Deputy Director shall assist the Director in his or her academic and or administrative responsibilities.
3. (1) A Director shall be competitively recruited by the Council from amongst members of the academic staff of the University, and a Deputy Director shall be competitively recruited by the Council from amongst members of staff of the University.
(2) Competitive recruitment shall entail the following-
 - (a) an internal advertisement;
 - (b) receipt of applications;
 - (c) a short-listing process by a Committee comprising the following members-
 - (i) three Professors nominated by Senate, one of whom shall be the Chairperson;
 - (ii) two Deans nominated by the Committee of Deans; and
 - (iii) two Directors nominated by the Committee of Deans;
 - (d) an interview conducted by Council, and
 - (e) an appointment of the successful candidate.
4. A person appointed to the position of Director shall be required to be of the status of at least a Senior Lecturer, and to have served in a leadership position within the University, provided that the Council may appoint any other member of academic staff of at least the rank of a Lecturer as circumstances may determine from time to time.
5. (1) A Director shall hold office for a period of three years renewable once subject to satisfactory performance.

- (2) Any person who has previously served as a Director shall not be eligible for re-appointment within three years immediately following the lapse of the last appointment.
6. Where a vacancy occurs in the office of a Director as a result of death, termination, infirmity or such other reason as shall be determined by Council, the Vice-Chancellor shall appoint an acting Director from among the members of the academic staff, and a Director so appointed shall serve for a maximum period of three months, after which a Director shall be appointed in accordance with the provisions of section (3) of this Statute.
7. The Vice-Chancellor may assign such other duties to a Director as the Vice-Chancellor may determine from time to time.
9. A Director shall serve on such terms as may be determined by the Council from time to time.
10. A Director may resign in writing addressed to the Vice-Chancellor and in accordance with the provisions of the Contract of Service.
11. The Council may terminate the services of a Director in accordance with his or her Contract of Service.

Statute VIII: Deans and Associate Deans of Schools

1.
 - (1) There shall be Deans of Schools as shall be determined by Council from time to time.
 - (2) There may be Associate Deans of Schools as shall be appointed by the Vice-Chancellor as determined by student population or the geographical spread of the School.
2.
 - (1) A Dean shall, under the Direction of the Vice-Chancellor or the Principal, be responsible for the academic programmes and administration of the School.
 - (2) An Associate Dean shall assist the Dean in his or her responsibilities for the academic programmes and administration of the School.
3.
 - (1) A Dean shall be competitively recruited by Council from amongst members of the Academic staff of the University.
 - (2) Competitive recruitment shall entail the following:
 - (a) an internal advertisement;
 - (b) receipt of applications;
 - (c) a short listing process by a Committee comprised of the following members—
 - (i) three professors nominated by the Senate, one of whom shall have served as Dean or Head of Department to be the Chairperson; and
 - (ii) two members of Senate at the level of Senior Lecturer above nominated by Senate.

- (iii) An interview conducted by Council.
 - (iv) A representative nominated by the Academic Staff Union representing academic staff shall be in attendance at the interview.
 - (v) Appointment of the successful candidate.
4. To be eligible for appointment as a Dean or Associate Dean, a person shall be required to be at least a Senior Lecturer, and shall have served as such at Moi University, provided that the Council shall have the discretion to appoint a lecturer as Dean where circumstances shall determine from time to time.
 5. (1) A Dean or Associate Dean shall hold office for a period of three years renewable, subject to satisfactory performance, for a further term of three years.
(2) Any person who has previously served as a Dean or Associate Dean, shall not be eligible for re-appointment within three years immediately following the lapse of the last appointment.
 6. Where a vacancy occurs in the office of a Dean or Associate Dean as a result of death, termination, infirmity or such other reason as maybe determined by the Council, the Vice-Chancellor shall appoint an acting Dean or Acting Associate Dean from among the academic staff of a relevant School, and a Dean or Associate Dean so appointed shall serve for a maximum period of three months after which a Dean or Associate Dean shall be appointed in accordance with the provisions of Section (3) of this Statute.
 7. A Dean or Associate Dean shall serve on such terms as may be determined by the Council from time to time.
 8. The Vice-Chancellor and or Principal may assign such other duties to a Dean or Associate Dean as the Vice-Chancellor shall determine from time to time.
 9. A Dean or Associate Dean may resign by notice in writing addressed to the Vice-Chancellor through the Principal and in accordance with the provisions of his or her Contract of Service.
 10. The Council may terminate the appointment of a Dean or Associate Dean in accordance with the provisions of his or her Contract of Service.

Statute IX: Registrars

1. There shall be such number of Registrars for each division headed by a Deputy Vice-Chancellor as may be determined by Council from time to time.
2. The Council shall competitively recruit Registrars who shall hold office upon such terms and conditions as may be determined by Council from time to time by virtue of the following qualifications-
 - (a) a First degree in a relevant field from recognized University;
 - (b) a Doctorate Degree in a related field;

- (c) at least six years' experience in the administration of a University or in the public sector;
 - (d) familiarity with the formulation and provision of guidelines on planning, management of university services and academic programmes; and
 - (e) ability to assist the Deputy Vice Chancellors in supervising and overseeing the provision of administrative, financial, student and academic programmes of the university.
3. A Registrars shall assist the Deputy Vice Chancellors in managing a division.
 4. A Registrar may resign in writing addressed to the Vice Chancellor in accordance with the provisions of his or her Contract of Service.
 5. The Council may terminate the appointment of a Registrar in accordance with his or her Contract of Service.

Statute X: The Finance Officer

1. There shall be a Finance Officer who shall, under the Direction of the Deputy Vice-Chancellor in charge of finance, be responsible for the financial matters of the University.
2. The Council shall competitively recruit a Finance Officer who shall hold office upon such terms and conditions for such period as may be determined by Council from time to time, based on the following qualifications-
 - (a) a first degree in Finance, Accounting, Economics or any other related field;
 - (b) the CPA (K), ACCA or CA, qualification of and membership of the Institute of Certified Public Accountants; and
 - (c) MSc, MBA degree or equivalent in related field;
 - (d) at least six years experience in a finance department in a similar position in a university or an equivalent Institution, and demonstrated outstanding qualities of leadership, coordination and organizational capabilities at top management level;
 - (e) A certificate in ICT with demonstrable practical experience.
 - (f) demonstration of outstanding qualities for leadership, coordination and organizational capabilities at top management level.
3. The Finance Officer shall provide guidance on the implementation of financial policies and procedures.
4. The Finance Officer may resign by notice in writing addressed to the Deputy Vice-Chancellor in accordance with the provisions of his or her Contract of Service.
5. Council may terminate the appointment of the Finance Officer in accordance with his or her Contract of Service.

6. A Finance Officer shall be competitively recruited by Council from among qualified applicants.

Statute XI: The Chief Legal Officer

1. There shall be a Chief Legal Officer who shall, under the Direction of the Deputy Vice-Chancellor in charge of administration, be responsible for the legal matters of the University.
2. The Council shall competitively recruit a Chief Legal Officer who shall hold office upon such terms and conditions as may be determined by Council from time to time.
3. A person shall be qualified to be appointed as a Chief Legal Officer where the person-
 - (a) holds a minimum of a Master of Laws degree;
 - (b) is an advocate of the High Court of Kenya;
 - (c) has at least seven years post-admission experience; and
 - (d) is an active member of the Law Society of Kenya.
3. The Chief Legal Officer may resign by notice in writing addressed to the Deputy Vice chancellor in charge of administration and finance in accordance with his or her Contract of Service.
4. Council may terminate the appointment of the Chief Legal officer in accordance with his or her Contract of Service.

Statute XII: Chief Medical Officer

1. There shall be a Chief Medical Officer who shall, under the Direction of the Deputy Vice-Chancellor in charge of administration, be responsible for the Health Services of the University.
2. The Council shall competitively recruit a Chief Medical Officer who shall hold office upon such terms and conditions as may be determined by the Council from time to time.
3. A person shall be qualified for appointment as a Chief Medical Officer where the person-
 - (a) holds a Master of Medicine (M.Med) degree in a clinical field from a recognized university;
 - (b) at least seven years post qualification experience after specialist training;
 - (c) has registered as a member of the Kenya Medical Practitioners and Dentists Board;
 - (d) demonstrates a high degree of professional competence in planning and management of health care programme at the national level, and a high degree of administrative capabilities required for responsibilities at that level;
 - (e) provides evidence of continuing professional development, and

- (f) provides evidence of attendance of management and public relations courses.
3. The Chief Medical Officer may resign by notice in writing addressed to the Vice Chancellor in accordance with the provisions of his or her contract of service.
4. The Council may terminate the appointment of the Chief Medical Officer in accordance with the provisions of his or her Contract of Service.

Statute XIII: University Secretary

1. The Vice-Chancellor shall be the University Secretary.
2. The University Secretary shall be the Secretary to Council and shall be responsible for all Council minutes and shall be the custodian thereof.
3. The University Secretary shall be responsible for all Council matters.

Statute XIV: University Librarian

1. There shall be a University Librarian who shall, under the Direction of the Deputy Vice Chancellor for the time being responsible for academics, be in charge of the provision of University library services as provided for in the scheme of service for Moi University and who shall carry out such other functions as shall be determined by Council from time to time.
2. Council shall competitively recruit the University Librarian who shall hold office upon such terms and conditions for such period as may be determined by Council from time to time.
3. A person shall be qualified to be appointed as the University Librarian if the person-
 - (a) holds a doctorate degree in Library and Information Sciences or its equivalent qualification from a recognized university;
 - (b) has served in a relevant position comparable to the post of senior Librarian I for at least four (4) years;
 - (c) has a minimum experience of six years in the provision of Library services in a similar position in an equivalent institution;
 - (d) is a member of a recognized professional association for Librarians(KLA,LA,ALA);
 - (e) has published a book or at least four articles in refereed journals (minimum publication score 12 points); and
 - (f) provides evidence of scholarship or research in their area of specialization.
4. The University Librarian may resign by notice in writing addressed to the Vice Chancellor in accordance with the provisions of his or her Contract of Service.

5. The Council may terminate the appointment of the University Librarian in accordance with the provisions of his or her Contract of Service.

Statute XV: Dean of Students

1. There shall be a Dean of Students who shall, under the direction of the Deputy Vice-Chancellor responsible for Student Affairs, be in charge of student welfare and carry out such other duties as Council shall determine from time to time.
2. The Council shall competitively recruit the Dean of Students who shall hold office upon such terms and conditions for such period as may be determined by Council from time to time.
3. A person shall be qualified to be appointed as a Dean of Students if the person-
 - a) holds a doctorate degree in education, social sciences or its equivalent from a recognized university;
 - b) has at least six years in an equivalent position; and
 - c) is a member of a recognized association of the profession.
4. The Dean of Students may resign by notice in writing addressed to the Vice-Chancellor in accordance with the provisions of his or her Contract of Service.
5. The Council may terminate the appointment of the Dean of Students in accordance with the provisions of his or her Contract of Service.

Statute XVI: Appointment of Staff

1. Subject to these Statutes and Regulations, the Council may appoint such academic and administrative staff as it may deem necessary for the efficient functioning of the University with such duties and upon such terms and conditions as Council may prescribe.
2. The Council shall determine the categorization of staff for purposes of terms and conditions of service, but for the time being, these shall be the academic, technical and administrative staff.
3. The terms and conditions of employment for all staff shall be set out in the Terms and Conditions of Service which shall be determined by Council in consultation with the relevant staff unions from time to time.
4. The above recruitment shall adhere to the principles outlined in the Constitution.

Statute XVII: The Council

The Council shall, subject to the Charter and these Statutes, be the governing body of the University, and shall exercise all the powers thereof and without derogating from the generality of its authority, it is specifically declared that the Council shall exercise the powers-

- (a) to acquire land, buildings, premises, furniture and equipment including specialized scientific equipment, vehicles and machinery and other means and facilities required for carrying out work of the University in accordance with the Charter;
- (b) make the appointments authorized by the Charter and these Statutes;
- (c) establish, confirm, abolish or suspend any professorship, lectureship or other academic posts on the recommendation of Senate;
- (d) promote and to make financial provision and facilities for research within the University;
- (e) make new or additional Statutes, and alter, amend or revoke existing Statutes on recommendation of the Senate;
- (f) create or abolish faculties, schools, institutes, departments, divisions, centres or other units of learning and research of the University from time to time on the recommendation of the Senate, in accordance with and as provided by these Statutes;
- (g) plan, govern, manage and regulate the finances, accounts, investments, property, business and all affairs of the University;
- (h) determine the fees payable to the University on recommendations of Senate;
- (i) invest any moneys belonging to the University including any unapplied income, in such stocks, funds, fully paid shares or securities as Council may from time to time deem fit, in accordance with the general law for the investment of trust moneys or in purchase of freehold or leasehold properties, including rents and subject to the Charter with powers of varying such investments from time to time by sale or re-investment or otherwise; provided that Council may in its discretion retain, as long as it shall think fit, any investment given or bequeathed to the University, although not coming within the description of investments authorized as aforesaid;
- (j) sell, buy, exchange, lease, grant or take on lease, moveable and immovable property on behalf of the University;
- (k) borrow money on behalf of the University in accordance with the procedures laid down by the Government of Kenya;
- (l) receive, consider and approve estimates of income and expenditure from the Management Board and provide the requisite funds for the approved estimates;
- (m) provide for the welfare of staff of the University in accordance with the provisions of the Terms of Service;
- (n) enter into, vary, carry out or terminate contracts on behalf of the University;

- (o) select a Seal and Arms for the University and have the sole custody and use of the Seal;
- (p) grant fellowships, studentships, bursaries, prizes and other aids to study and research on recommendations of Senate;
- (q) consider and approve, upon recommendation of the Senate, the Terms and Conditions of examiners;
- (r) consider and give effect to reports from Senate on those matters upon which the Senate is authorized or required by these Statutes;
- (s) exercise powers of removal from office and other disciplinary control of staff in the University, provided that these powers shall be exercised for the reasons on the grounds, in the manner and pursuant to the procedures set out in the Terms of Service which shall include the following rights for the member of staff and as provided for in Section 63 of The Universities Act-
 - (i) to appear and be heard by Council or any person or body to whom Council has delegated this function;
 - (ii) to be given adequate notice of the charges he or she faces to inform the staff adequate time to prepare and present a defence
 - (iii) to afford the staff adequate time to prepare and present a defence
 - (iv) to be represented by a person of his choice
 - (v) to call and examine witnesses
 - (vi) to appeal to the full Council
 - (vii) to have access to any documents to be introduced as evidence against him or her.
- (t) delegate any of its powers or duties to the Chairperson or to Committees consisting of such members of Council and other persons as it may deem fit, provided that the Council shall not delegate to the Chairperson or to a Committee the powers to approve without further reference to Council, Annual Estimates of expenditure.
- (u) negotiate, sign and monitor the performance contracting in the university as provided for by the Government of Kenya.

Statute XVIII: Meetings of the Council

1. *A meeting of the Council shall be held at least once in each quarter.*
2. *At all meetings of Council a quorum shall be two thirds of the total membership of Council.*
3. *Subject to the Charter, decisions of Council shall be by consensus or a simple majority vote of those present and voting, provided that the Chairperson of Council shall have a casting vote in case of an*

- equality of votes, and provided also that in the enactment of Statutes the provision of section 26 (3) of the Charter shall apply.
4. The Chairperson may at anytime call a meeting of Council and shall call a meeting within twenty eight days of receiving request for that purpose addressed to him signed by at least half of the members of Council.
 5. The Chairperson, or in his or her absence, a member of Council elected by the members present, shall preside at all meetings of Council at which he or she is present. Provided that the Vice Chancellor shall not be appointed as temporary Chairperson.
 6. Unless the Council otherwise determines, a quorum for a meeting of any Committee of the Council shall be the nearest whole number above half the membership of the Committee.
 7. The Council shall cause minutes of its proceedings to be kept by the University Secretary and such minutes shall be confirmed, subject to any necessary amendment by the Council at a subsequent meeting.
 8. Subject to the provisions of these Statutes, Council shall have power to regulate its own procedure and the procedure of any Committee of Council.
 9. The following persons shall attend at meetings of the Council Committees in which their technical expertise is required as may be determined by Council from time to time-
 - a)the Deputy Vice-Chancellors;
 - b)the Principals of Colleges;
 - c)the Finance Officer;
 - d)the Chief Legal Officer;
 - e)one representative nominated by the Senate;
 - f)one representative nominated by the non-Senate academic staff;
 - g)one representative nominated by the non-teaching staff;
 - h)the Chairperson of the undergraduate students organization; and
 - i)the Chairperson of the postgraduate students organization.
 - 11.The Council shall conduct its business through such Committees as it shall determine from time to time and shall at the full Council meetings consider the reports from the Committees and any other agenda.

Statute XIX: The Senate

1. Subject to the provisions of the Charter, the Senate shall be the academic authority of the University and shall have the control and general direction of research, instruction and examinations and of the award of degrees, diplomas, certificates and other academic qualifications.

2. The membership of Senate shall be in accordance with Section 18 (1) of the Charter.
3. Pursuant to the provisions of Section 18(1)(n) of the Charter, the Professors of the University shall be members of Senate and the following shall be in attendance at all meetings of Senate-
 - (a) the Registrars;
 - (b) the Finance Officer;
 - (c) the Chief Medical Officer;
 - (d) the Chief Legal Officer;
 - (e) the Senior Procurement Officer;
 - (f) two persons nominated by the Staff Association representing academic staff;
 - (g) two persons nominated by the Staff Associations representing administrative staff; and
 - (h) two persons nominated by students associations.
4. The Deputy Vice-Chancellor in charge of academics shall be the Secretary to Senate.
5. Persons who are members of Senate by virtue of their office shall cease to be members on the expiry of their term in office.
6. Membership of representatives of the student organizations shall be limited to a period of one year.
7. Membership of representatives of the School Boards shall be limited to a period of three years renewable once.
8. Subject to Section 18(3) of the Charter, the Senate shall have the following powers and duties-
 - (a) to identify, in consultation with the Alumni Association, suitable persons to be appointed as Chancellor of the University;
 - (b) to determine the academic policy of the University and to advise Council on the provision of facilities to carry out that policy;
 - (c) to direct and regulate the teaching and instruction within the University and the examinations held by the University, subject to the powers of Council herein before defined;
 - (d) to recommend to Council for approval of degrees and post graduate diplomas to be conferred by the University;
 - (e) to approve diplomas, certificates and other academic qualifications to be awarded by the University;
 - (f) to recommend to the Council, after report from Boards of Schools or Institutes concerned, regulations for giving effect to

- these Statutes and regulations relating to programmes of study and examination;
- (g) to approve programmes of study, regulate admission of persons to the University and determine their continuance or discontinuation in such programmes and condition for qualifying for conferment of degrees, award of various titles, distinction and other awards offered by the university;
 - h) to consider and approve appointment of internal and external examiners upon request from schools.
 - (i) to consider requests for the establishment of Colleges and Campus Colleges, Divisions, Schools, Institutes, Directorates, Centres, Departments or other units of learning and research in accordance with statute xxiii, xxiv, xxv, xxvi and xxvii and if found suitable may with or without amendments recommend to Council for their establishment;
 - (j) to review, amend, control or disallow any act of any school, institute, department, division, centre or other unit of learning and research and to give appropriate direction to any such body;
 - (k) to recommend, subject to any conditions made by the donors thereof which are accepted by Council, the time, mode and conditions, of competition for fellowship, scholarship, studentship, exhibitions, bursaries, prizes and other aids to study and research and to award the same. Where it is satisfied that on academic or other legitimate grounds it is necessary so to do, Senate may withdraw or direct the withdrawal of any fellowship, scholarship, studentship, exhibition, bursary, prize or other aid to study and research;
 - (l) to prescribe the ceremonial academic dress to be worn by graduands and members of the University;
 - (m) to exercise general responsibility for the resource and services of the University library;
 - (n) to promote and administer the extra-mural, external and extension work of the University;
 - (o) to recommend to Council on all Statutes, regulations or proposed changes thereof;
 - (p) to consider and report to Council on any matters referred to it by Council;
 - (q) to discuss and declare an opinion on any matters whatsoever relating to the University;
 - (r) to require any student to withdraw from the University on academic grounds;
 - (s) To formulate rules and regulations for the discipline of the students of the University;

- (t) to exercise all such powers as are or may be conferred on Senate by the Charter, these Statutes and regulations and do such other acts as Council may authorize;
- (u) to prescribe which units of learning or research and which subjects of study shall form part, or be the responsibility of each of the Schools. A Unit of learning or research or a subject of study may, if Senate so directs, form part or be the responsibility of more than one School.; and
- (v) Subject to the Charter and these Statutes and regulations, to establish Committees consisting of such members of Senate and any other persons as it may think fit and may delegate any of its powers or duties to the Chairperson or of its Committees and may also empower such Committees to act jointly with any Committees appointed by Council, Boards of Institutes or Schools.

Statute XX: Meetings of the Senate

1. The Senate shall meet at least once every month and shall hold such other special meetings as the Vice-Chancellor shall determine from time to time or at the written request of not less than one-third of the members of Senate, provided that the written request shall state the purpose of the meeting and such meetings shall be convened within two weeks of the date of the written request.
2. The Vice-Chancellor, or in his or her absence, a Deputy Vice-Chancellor, shall preside at all meetings of Senate at which he or she is present and in the event of the absence of both the Vice-Chancellor and the Deputy Vice-Chancellors the members present and constituting a quorum shall elect a temporary Chairperson from among the members present.
3. At meetings of the Senate a quorum shall be one-half plus one of the membership, except at Special Senate Meetings.
4. Decisions of the Senate shall be by consensus or by a simple majority vote of those present and entitled to vote, provided that the Chairperson shall have a casting vote.
5. The Senate shall meet at Senate Chambers or at such other University premises as the Chairperson shall determine from time to time.
6. In exceptional circumstances, Senate may meet at any other premise upon approval by the Chairperson of Council.

Statute XXI: The Management Board

1. The membership of the University Management Board shall be in accordance with Section 19 (1) of the Charter.
2. The University Management Board shall be responsible for:
 - (a) implementation of the University policies
 - (b) day to day running of the University

- (c) the co-ordination of the University strategic and development plans;
 - (d) the efficient management of the University's human, natural, physical and financial resources;
 - (e) making proposals to Senate and Council on policies that have application across the entire University; and
 - (f) any other matters related to the management of the University.
3. The University Management Board shall have such other powers and duties as may be assigned or delegated to it by Council in accordance with these Statutes and the Charter.

Statute XXII: Meetings of the Management Board

1. The University Management Board shall meet at University premises.
2. In exceptional circumstances, the University Management Board may meet at any other premise upon approval by the Chairperson of Council.
3. Unless the Management Board otherwise determines, a meeting of the Board shall be held at least once every month as the Chairperson shall determine from time to time.
4. At all meetings of the Management Board, the quorum shall be the nearest whole number above half the membership of the Board.
5. Decisions of the Management Board shall be by consensus or by a simple majority vote of those present and entitled to vote, provided that the Chairperson shall have a casting vote.
6. The Vice Chancellor, or in his or her absence, a Deputy Vice Chancellor, shall preside at meetings of the Management Board at which he or she is present, and in the absence of both, the Principal and the Deputy Vice Chancellors, the members present shall elect a temporary chairperson from amongst themselves.
7. The Management Board may delegate any of its duties to the Vice Chancellor or to a Committee consisting of such members of the Management Board and any other persons as it may appoint, and it may empower any such Committee or persons to act jointly with any Committee appointed by the Senate.
8. The Vice-Chancellor shall be an ex-officio member of every Committee of the Management Board but shall not be a Chairperson of any such Committee unless expressly provided.
9. Subject to the provisions of these Statutes, the University Management Board shall determine the procedure of its own meetings or those of any Committees.

Statute XXIII: Establishment of Constituent Colleges, Colleges and Campus Colleges

1. Pursuant to the provisions of Section 5 of the Charter there shall be established Constituent Colleges of the University.
2. Pursuant to the provisions of Section 6 of the Charter, Council may, on the advice of Senate, establish Colleges and Campus Colleges.
3. Subject to the provisions of Section 4(1) of the Charter, Colleges and Campus Colleges shall have the additional functions and powers of;
 - (a) promoting responsibility based management at the College or Campus College;
 - (b) carrying out teaching and training;
 - (c) conducting research, extension and development;
 - (d) providing professional services and consultancy;
 - (e) promoting the welfare of students and staff within the College or Campus College;
 - (f) promoting the corporate image of the University; and
 - (g) enhancing quality assurance in student affairs; academic, research and extension; administration and finance; and planning and development.
4. The following criteria shall apply in establishment of a College:
 - (a) A College shall comprise Schools with related disciplines which are complementary to each other;
 - (b) A College shall have adequate facilities and sufficient human resource to accommodate all its constituent Schools.
5. The following criteria shall apply in establishment of Campus Colleges;
 - (a) A campus college shall comprise at least three Schools;
 - (b) it shall have a student population of at least 2,000 students;
 - (c) the premises of the Campus college shall be outside the Main Campus; and
 - (d) it shall have adequate infrastructural support.
6. The following criteria shall apply in establishment of a Campus-
 - (a) at least three schools;
 - (b) outside the Main Campus; and
 - (c) adequate infrastructural support.
7. The procedure for establishment of a College or Campus College shall be as follows-

- (a) a written request addressed to the Chairperson of Senate shall be made by the School, Committee of Deans, University Management or other members of the University, provided that Senate may on its own motion propose the establishment of a College or Campus College.
- (b) Upon receipt of the request, the Senate shall constitute a Committee made up of the following members to consider the request based on the criteria in paragraphs 3 and 4 as appropriate-
 - (i) a Deputy Vice Chancellor who shall be the Chairperson;
 - (ii) one Professor nominated by the Senate;
 - (iii) the Finance Officer;
 - (iv) the Dean of Students;
 - (v) the Chief Librarian;
 - (vi) two persons nominated by the Committee of Deans; and
 - (vii) such other persons as the Committee may, for good reason, co-opt from time to time.
- (c) The Committee shall present an evaluation report to the Senate for consideration.
- (d) The Senate shall forward its recommendation to the University Management for onward transmission to Council.
- (e) The Council shall consider the report from Senate and give effect.

Statute XXIV: College and Campus College Management Boards

1. There shall be a Management Board for each College and each Campus College whose membership shall be as follows-
 - (a) principal, who shall be the Chairperson of the Board;
 - (b) the Deans of the Schools within the College or Campus College;
 - (c) the Academic Registrars or their representatives; and
 - (d) the Finance Officer or his or her representative.
2. The College Management Board shall have the following functions-
 - (a) providing overall leadership and management of the College;
 - (b) strategic planning and implementation;
 - (c) receiving reports and implementing recommendations from the College Academic and Administrative Boards;
 - (d) mobilizing resources; and
 - (e) establishing collaborations, linkages and partnerships.

Statute XXV: Meetings of College and College Campus Management Boards

1. Unless the College or Campus College Management Board otherwise determines, a meeting of the Board shall be held at least once every month in the Campus or College or any other University premises.
2. In exceptional circumstances, the College or Campus College Management Board may meet at any other premises upon approval by the Vice- Chancellor.
3. At all meetings of the Board, the quorum shall be the nearest whole number above half the membership of the Board except for special College and College Campus Management Boards.
4. Decisions of the Board shall be by consensus or by a simple majority vote of those present and entitled to vote, provided that the Chairperson shall have a casting vote.
5. The Principal shall preside at meetings of the Board at which he or she is present and in the absence the Principal, the members present shall elect a temporary Chairperson from among themselves.
6. The Board may delegate any of its duties to the Principal or to a Committee consisting of such members of the Board and any other persons as it may appoint and it may empower any such Committee to act jointly with any Committee appointed by the Senate.
7. The Principal shall be an *ex-officio* member of every Committee of the Board but shall not be a Chairperson of any such Committee unless expressly provided.
8. Subject to the provisions of these Statutes, the Board shall determine the procedure of its own meetings or those of any Committees.

Statute XXVI: College and College Campus Academic Board

1. There shall be College and College Campus Academic Boards whose membership shall be as follows-
 - (a) the Principal, who shall be the Chairperson;
 - (b) the Deans and Heads of academic Departments;
 - (c) the Academic Registrar or a representative;
 - (d) the Dean of Students or a representative;
 - (e) the Chief Librarian or a representative;
 - (f) the Finance Officer or a representative; and
 - (g) one student representative nominated by the Students Association of the College.
2. The College Academic Board shall have the following functions—
 - (a) overseeing development and review of academic programmes;

- (b) overseeing implementation of academic programmes and activities;
- (c) considering and approving matters related to examinations;
- (d) ensuring compliance with the academic rules and regulations of the University;
- (e) implementing the decisions of the College Management Board; and
- (f) sourcing, receiving and awarding scholarships, grants, and fellowships in accordance with the University policy on award of scholarships, grants and fellowships.

Statute XXVII: College and Campus College Administrative Board

1. There shall be College and Campus College Administrative Boards whose membership shall be as follows-
 - (a) the Principal, who shall be the Chairperson;
 - (b) the Administrative Registrar or a representative;
 - (c) the Academic Registrar or a representative;
 - (d) the Deans of Schools;
 - (e) the Finance Officer or a representative;
 - (f) all Heads of non-teaching Departments;
 - (g) the Dean of Students or a representative; and
 - (h) the University Librarian or a representative.
2. The College Administrative Board shall have the following functions—
 - (a) Implementing administrative policies, operations and activities of the University;
 - (b) Considering and recommending budget proposals of the College;
 - (c) Overseeing all matters relating to human resource;
 - (d) Implementing decisions of the College Management Board; and
 - (e) Ensuring compliance with administrative rules and regulations of the University and the law.

Statute XXVIII: Schools, Institutes and Directorates

1. The Council shall have power, on the recommendation of the Senate from time to time to establish Schools, Institutes, Directorates and Centres and the constituent elements thereof.
2. In establishing Schools Senate shall consider the following-
 - (a) The academic and societal needs for training, research and extension services; and

- (b) The availability of adequate infrastructural support.
3. The following procedure shall apply in establishment of a School, Institute, Directorate and Centre-
- (a) A written request addressed to the Chairperson of Senate shall be made by the Schools, Committee of Deans, Management or other members of the University, provided that the Senate may on its own motion propose the establishment of a School.
- (b) Upon receipt of the request, the Senate shall constitute a Committee made up of the following members to consider the request based on the criteria in paragraph 2-
- (i) a Deputy Vice Chancellor who shall be the Chairperson;
- (ii) one Professor nominated by the Senate;
- (iii) the Finance Officer;
- (iv) the Dean of Students;
- (v) the Chief Librarian;
- (vi) two persons nominated by the Committee of Deans; and
- (vii) such other persons as the Committee may, for good reason, co-opt from time to time.
- (c) The Committee shall present an evaluation report to the Senate for consideration.
- (d) The Senate shall forward its recommendation to Management for onward transmission to Council.
- (e) The Council shall consider the report from Senate.
4. The University Management Board shall establish such Directorates to carry out such functions as the Management may determine from time to time.
5. There shall be a Dean of each School and a Director of each Institute, Directorate or Centre who shall be the Chairperson of the Board of the School, Institute, Directorate or Centre.
6. Where the Dean or Director is unable to be present at a meeting of such Board, the Board shall elect a Chairperson from among its members present.
7. Schools, Institutes, Campuses, Directorates or Centres shall make recommendations to Senate with regard to Departments which shall be associated with the particular School, Institute, Campus, Directorate and Centre provided that members from associated departments shall have no voting rights in the meetings of such Boards.
8. There shall be a Board of each School, Institute, Campus, Directorate or Centre with the following functions as appropriate-

- (a) advising and reporting to the Senate on all matters relating to the origination of teaching and research including curricula and examination;
 - (b) considering the progress and conduct of students in the School or Institute and to report to Senate thereof;
 - (c) to recommend to the Senate persons to be appointed as internal and external examiners;
 - (d) to consult with the Boards of the other schools or institutes on Senate matters;
 - (e) to deal with any matters which may from time to time be referred to it by the Senate;
 - (f) to consider and make recommendations to Senate on any matters relating to the School, Institute, Directorate or Centre; and
 - (g) to carry out any other function which may be given to or imposed on it by regulations.
9. Subject to the Charter and these Statutes, the Board of each School, Institute, Campus, Directorate or Centre may establish Committees to advise and report on such matters as may be determined by the Board and may delegate to such Committees any of its functions provided that-
- (a) any such Committee may include members of the academic staff of associated Departments;
 - (b) any Committee established in pursuance of this section may be so composed and constituted as to be a joint Committee of two or more Schools, Institutes, Campuses, Directorates or Centres;
 - (c) the Deans or Directors of the Boards which establish Committees under this section, shall be *ex-officio* members of such Committee;
10. The Board of each School, Institute, Directorates or Centre shall meet once every month and shall have such other meetings as shall be determined by the Chairperson from time to time.
11. The quorum of the Boards of Schools, Institutes, Campuses, Directorates or Centres shall be one-half plus one of the membership of that particular Board except for S
12. The membership of the Boards of each School, Institute or Centre shall be as follows-
- (a) the Dean or Director who shall be the Chairperson;
 - (b) the Chairpersons of Departments in the School, Institute, Directorate or Centre;
 - (c) the representatives of the Associate Departments;
 - (d) the Lecturers in the School, Institute, Directorate or Centre;

- (e) not more than two students from among the students in the School nominated by the students of the School or Institute;
 - (f) such members of the academic staff as may be prescribed in the regulations;
 - (g) the Vice-Chancellor and the Deputy Vice Chancellors in charge of academic affairs shall be *ex-officio* members of the Board of Schools or Institutes; and
 - (h) the Registrar responsible for academic affairs shall provide secretarial services to the Boards.
13. Each Board of a School, Institute, Directorate or Centre may at its own discretion, invite other persons to attend any of its meetings in an advisory capacity.

Statute XXIX: Departments

1. Each School or Institute shall consist of such Departments as Council may determine from time to time.
2. In establishing a Department the School Board shall consider the following-
 - (a) the academic and societal needs for training and research; and
 - (b) the availability of basic infrastructural support.
3. The following procedure shall apply in establishment of a Department-
 - (a) a written request addressed to the Chairperson of the School or Institute;
 - (b) the Board shall be made by a member of the School or Institute Board;
 - (c) Upon receipt of the request, the School/Institute Board shall constitute a
 - (d) A Committee made up of the following members—
 - (i) the Dean or Director who shall be the Chairperson;
 - (ii) one Professor nominated by the School or Institute Board;
 - (iii) the Chief Librarian;
 - (iv) the Finance Officer;
 - (v) the Dean of Students;
 - (vi) two persons nominated by the School or Institute Board;
 - (vii) such other persons as the Committee may, for good reason, co-opt from time to time.
4. The Committee shall present an evaluation report to the Board for consideration.

5. The Board shall forward its recommendation to the Senate which shall consider the proposal and make recommendations to the Council, and the Council shall consider the report from Senate.
6. Each Department shall have a Head who shall be appointed by the Vice-Chancellor in consultation with the appropriate Dean or Director.
7. The Deans or Directors shall nominate three persons from each Department, one of them who shall be considered for appointment as Head of Department.
8. To be eligible for appointment as a Head of Department, a person shall be required to be at least a Senior Lecturer, provided that the Vice-Chancellor may, in consultation with the Dean or Director of the School, Institute or Centre appoint a Lecturer to be a Head of Department.
9. A Head of Department shall serve for a period of three years renewable subject to satisfactory performance for a further period of three years.
10. The Terms of Service of Heads of Department shall be determined by the Council from time to time.
11. A constituent part of one School or Institute may in relation to other Schools or Institutes in which such a Department has teaching or other commitments be regarded as being associated with such School or Institute.
12. Each Department shall be regarded, for administrative purposes, as being a constituent part of one School or Institute, but may in relation to other Schools or Institutes in which such a Department has teaching or other commitments be regarded as being associated with such Schools or Institutes.
13. There shall be Departmental Board meetings called by the Head of Department at least once a month. Such meetings shall be constituted by all members of the academic staff of each Department.
14. The Head of Department shall be the Chairperson of the Departmental Board.
15. The Departmental Board shall have the following functions-
 - (a) advising and reporting to the School or Institute Board on all matters relating to the origination of teaching and research including curricula and examinations;
 - (b) considering the progress and conduct of students in the Department and to report to the School or Institute Board thereon;
 - (c) recommending to the School or Institute Board persons to be appointed as Internal and External Examiners;

- (d) forming Committees for short listing of persons to be promoted or recruited as academic and technical staff of the Department;
 - (e) dealing with any matters which may from time to time be referred to it by the Senate, School or Institute;
 - (f) considering and making recommendations to the School or Institute Board on any matters relating to the School or Institute; and
 - (g) carrying out any other functions which may be given to or imposed on it by regulations.
16. The quorum of the Departmental Board shall be one-half plus one of the membership of that particular Board.
17. A Departmental Board shall consist of the following membership-
- (a) the Head of the Department;
 - (b) all academic staff of the Department;
 - (c) where relevant, at least one representative of the technical staff in the
 - (d) department;
 - (e) two students in the Department elected annually by the students from amongst themselves, provided that the students so elected shall not be entitled to attend for deliberations on matters considered by the Head to be confidential; and
 - (f) the Vice-Chancellor, the Deputy Vice-Chancellors and the appropriate Dean who shall be *ex-officio* members.
18. The Head of the Department, after consultation with members of the Departmental Board, may from time to time, invite other persons to attend Departmental Board meetings.

Statute XXX: Student Matters

1. Subject to the Charter and these Statutes, all matters affecting the education, welfare and discipline of students shall be governed by the Rules and Regulations approved by Council from time to time.
2. Without prejudice to the generality of paragraph (1) of this Statute, Rules and Regulations shall govern the following-
 - (a) There shall be two students' organizations of the University, one for undergraduate and diploma and certificate students and the other for graduate students.
 - (b) All students of the University shall belong to the relevant students' organization.
 - (c) The functions of the students' organization shall be as provided in Section 21(2) of the Charter.
 - (d) The method of election of officers of the students' organization, and subject to Section 3(b) below, the

- constitution, powers and functions of the students' organization shall be prescribed in the regulations.
- (e) The regulations may authorize the students' organization to provide or assist in the provision of services for the general welfare of the student body.
 - (f) The regulations may provide for the formation of clubs and societies for the general welfare of the students body.
3. (a) In any case where a student is a member of, or is admitted to any meeting of Council, Senate or any other body established in accordance with the Charter and these Statutes (other than the students' organization or a joint Committee established in accordance with Section 5 of this Statute) the student shall withdraw from the meeting when it is declared by the Chairperson of the meeting that they are about to discuss reserved areas of business which shall not at any time be made available to the Student.
- (b) Papers for consideration at any such meeting as aforesaid and minutes and other records any of which relate to reserved areas of business, shall not at any time be made available to the student.
 - (c) Reserved areas of business include matters affecting the appointments, promotion, discipline and other personal affairs of members of the academic and other staff of the University and matters affecting admission and academic assessment of a student whether in general or in any particular case.
4. Subject to section 3, the Chairperson of the meeting may decide in any case of doubt whether a matter is a reserved area of business or not and his or her decision shall be final.
5. (a) There shall be a Disciplinary Committee of Senate consisting of the following persons, who shall serve for such period as shall be prescribed in the regulations—
- (i) the Deputy Vice Chancellor for the time being in charge of Students' Affairs – Chairperson;
 - (ii) the Registrar for the time being in charge of Student affairs who shall be the Secretary;
 - (iii) three members of the academic staff approved by the Senate;
 - (iv) two students nominated by the Students Organization.
- (b) The Dean of Students and the Chief Legal Officer shall attend at all meetings of the Disciplinary Committee
 - (c) In the event of the absence of the Deputy Vice-Chancellor, the Vice-Chancellor shall appoint a senior member of academic staff as a temporary Chairperson.

- (d) The Disciplinary Committee shall have such powers in relation to matters of student's discipline as shall be prescribed in the regulations.
- (e) Subject to the regulations, a student may, within a period which shall be specified in the regulations, appeal to the Vice Chancellor against the decision of the Disciplinary Committee, and to the Chairperson of Council against the decision of the Vice Chancellor.
- (f) On receipt of an appeal by a student, the Vice-Chancellor or the Chairperson of Council, as the case may be, shall cause to be convened a meeting of the Appeals Board in accordance with the regulations. The decision of the Appeals Board shall be final.
- (g) On reference to the Disciplinary Committee, a student shall have the right to receive adequate notice of the charges made against him or her, to have access to any documents introduced in evidence, to be represented by a person of his or her choice, to be heard in person, to call witnesses and to examine witnesses called against him or her.
- (h) Hearings and appeals shall not be held in public and the Disciplinary Committee and the Appeals Board shall each have the right to summon and examine any member of the University and to invite and examine any other person.
- (i) Decisions of the Disciplinary Committee of the Appeals Board and of Senate shall be by consensus or by simple majority of the members present, with the Chairperson having a casting as well as a deliberative vote and, subject to the provisions of this Statute, all matters relating to the procedure of the Disciplinary Committee and of the Appeals Board shall be prescribed in the regulations.
- (j) Subject to these Statutes, regulations may prescribe penalties which may be imposed on students who are subject to disciplinary action, and conditions under which such penalties shall be imposed and the procedure for their enforcement.
- (k) Without prejudice to the rights of the student specified in paragraph (g) above, the Vice Chancellor may suspend any student from any class or classes and exclude any student from the whole or any part of the University or its precincts for such a period as he may think fit, and thereafter shall cause to be convened a special meeting of the Disciplinary Committee within fourteen days of the date of such suspension or exclusion.
- (l) The decision of the Disciplinary Committee shall be communicated to the Vice Chancellor.
- (m) Subject to the rights of the students specified in the foregoing sub-Sections, the Disciplinary Committee may amend, ratify or revoke the suspension or exclusion of the student, and where a

student who has been suspended or excluded is found to have been guilty of grave misconduct, the Committee shall inform the Senate, through the Vice Chancellor, of the expulsion of the student from the University.

- (n) The appeal procedure shall be as stipulated in the Rules and Regulations on Conduct of Students.

Statute XXXI: Staff Matters

1. All members of staff of the University shall be subject to the general authority of Council and of the Vice Chancellor.
2. All members of staff shall serve on such Terms and Conditions of Service as shall be determined by Council in consultation with staff associations or unions from time to time and as indicated in the Letter of Appointment.
3. Members of staff of the University shall be appointed by the Council on the recommendation of an Appointments Committee of Council and on such terms and conditions as shall be made known to the member of staff at the time of the appointment.
4. Disciplinary procedures shall be included in the Terms and Conditions of Service approved by Council and shall include among others the following condition:
5. Subject to the Charter, these Statutes, the Regulations and any written law, no person shall be removed from employment under this Statute unless he or she is first given adequate notice of any charge made against him or her and access to any documents introduced in evidence against him or her and a reasonable opportunity to—
 - (a) be heard in person;
 - (b) be represented by a person of his or her choice;
 - (c) call witnesses; and
 - (d) examine witnesses called against him or her.
6. The provisions of Statute XVII (19) shall apply
7. Subject to the Charter, these Statutes and Regulations and any other written law, the Council may declare a person removed from office or employment, for good cause, in pursuance of this Statute to be unfit to continue to hold office or employment in the University and any such person shall not be eligible for further nomination, election or appointment to any office, employment or place in the University, including any office *ex-officio*, unless the said declaration shall be rescinded.
8. The expression “good cause” when used in reference to removal from office, membership or employment means—

- (a) conviction for felony, misdemeanor or any other offence which the Council deems to be such as to render the member of staff concerned unfit to continue to hold office;
 - (b) gross negligence of duty, professional misconduct or proven incompetence;
 - (c) insubordination or any other misconduct which the Council shall consider scandalous or disgraceful, thus rendering the member of staff unfit to continue holding office in the University.
9. There shall be two staff Disciplinary Committees as follows-
 - (a) A Committee chaired by the Deputy Vice-Chancellor for the time being responsible for Administration which shall handle disciplinary matters for staff in grades 1 to 10.
 - (b) A Committee of the Council which shall handle disciplinary matters of staff in grades 11 to 18.
 - (c) The committees under this section shall handle the disciplinary cases of members of staff as appropriate in accordance with the Terms and Conditions of Service and the provisions of any law related to employment.
- 10 Subject to the provisions of any law related to employment matters, a member of staff may appeal against a decision of the Disciplinary Committee as follows—
 - (a) Staff in grades 11 to 18, to the Council; and
 - (b) Staff in grades 1 to 10, to the Vice-Chancellor and thereafter to the Council.
11. Staff of the University shall retire from employment as follows-
 - (a) For Academic staff, on the thirtieth day of June next after the date on which the member of staff attains the age of seventy (70) years or such other age as may be determined by Council from time to time;
 - (b) For Administrative Staff in grades 11 to 15 on the thirtieth of June next after the date on which the member of staff attains the age of sixty-five (65) years.; and
 - (c) For all other staff in grades 1 to 10 on the thirtieth day of June next after the date on which the member of staff attains the age of sixty (60) years or such other age as may be determined by Council from time to time.
12. The retirement age for those who shall join the University after the gazettment of these Statutes shall be sixty years for Administrative staff and 70 years for Academic Staff or as shall be directed by the Government from time to time, but the Council shall have powers to employ and retain staff on contract basis from time to time as need arises.

13. Members of staff may, upon retirement, be considered for appointment on Terms and Conditions of Service to be determined by Council from time to time.

15. A member of staff may resign his or her appointment in such manner and on giving such notice as may be prescribed in the Regulations or in the Terms and Conditions of employment under which such member of staff is engaged.

Statute XXXII: Alumni Association

1. Pursuant to Section 22 of the Charter, there shall be an Alumni Association of the University which shall consist of graduates of the University and the following other members:
 - (a) the Chancellor;
 - (b) the Council;
 - (c) the Vice-Chancellor;
 - (d) the Deputy Vice-Chancellors;
 - (e) the Principals;
 - (f) professors;
 - (g) present and past academic staff of the University;
 - (h) associated members as provided in the Alumni Association Constitution; and
 - (i) special Members as provided in the Alumni Association Constitution.
2. The objectives of the Alumni Association shall be to promote the reputation and wellbeing of the University, including fund raising for the development of the University.
3. Subject to the provisions of the Act and the Charter, the Alumni Association shall have the powers to-
 - (a) to discuss and state its opinion on any matters within the sphere of competence of the University; and
 - (b) to participate in the process of appointment of the Chancellor of the University in accordance with the provisions of the Act, the Charter and these Statutes.
4. A copy of all resolutions of the Alumni Association and a statement of such other matters as the Alumni Association may from time to time decide shall be duly certified by the Chairperson and sent to the Chairperson of Senate and Chairperson of Council for information.

Statute XXXIII: Examinations

1. University examinations shall be conducted under the general control of the Senate in accordance with Examination Rules and Regulations.

2. There shall be Regular, Special and Supplementary examinations as provided by the Regulations.
3. Examinations shall be held under such conditions as Senate may prescribe in the Regulations.
4. There shall be a Departmental Board of Examiners chaired by the Head of Department.
5. The functions of the Board of Examiners shall be to receive and process examination results and to recommend these to the School Board of Examiners for consideration.
6. There shall be a School Board of examiners chaired by the Dean, which shall receive and process examination results and recommend them to Senate.
7. There shall be External Examiners of the University appointed by Senate as provided by the regulations.
8. External Examiners shall be appointed from outside the University and its Constituent Colleges for a maximum period of four (4) years, which may be extended for a period of one year as circumstances may determine and on such terms as Senate may from time to time determine.
9. An External Examiner who has served the maximum period of four years may be considered for re-appointment after the expiry of a period of four years from the lapse of the last appointment.
10. Examinations shall be set, moderated and examined as provided in the Regulations.
11. A candidate for a University examination shall pay in respect of such examination fees as the Council on the recommendation of Senate shall prescribe.
12. There shall be an Examination Irregularities Committee of the Senate as provided in the Regulations and which shall handle cases of examination irregularities.
13. There shall be an Examinations Irregularities Appeals Board of the Senate as provided in the regulations and which shall handle appeals arising from the decisions of the Examinations Irregularities Committee.
14. The Regulations shall provide the procedure for handling an examination irregularity.

Statute XXXIV: Designation of Degrees, Diplomas and Certificates

6. Subject to the Act, the Charter and these Statutes, the following degrees in various disciplines may be conferred—
 - (a) Bachelors degrees;
 - (b) Masters degrees;
 - (c) Doctorate degrees; and

- (d) Honorary Doctorate degrees.
7. Subject to the Act, the Charter and these Statutes, the university may award Diplomas, and Certificates in various disciplines.
8. Every degree certificate shall incorporate a brief description of the subject in which the award is made.

Statute XXXV: Conferment of Degrees and Award of Diplomas and Certificates

1. Bachelors Degrees

- (a) A candidate may be conferred with a Bachelors degree provided—
- (i) he or she undertakes an approved programme of study in the University as provided in the Regulations;
 - (ii) he or she undertakes an approved programme of study at a recognized Institution and His or her period of attendance as a student at such University or Institution and at the University are together not less than the complete period prescribed for the award of the degree and as provided in the Regulations;
 - (iii) he or she passes the prescribed examinations and such other examinations of the University as the Senate may determine;
 - (iv) he or she pays such fees to the University as may be determined by Council from time to time; and
 - (v) he or she complies in other respects with the requirements for the degree.
- (b) The Senate may accept, as part of the attendance of a student of the University qualifying him or her for the award of the Bachelor's degree, periods of attendance as a student at another University or Institution recognized by the Senate for this purpose; and the Senate may accept certificates of proficiency in any subject issued by an accredited University or Institution as aforesaid exempting the student from the examination of the University in a course in such subject.

2. Postgraduate Diplomas

Subject to the Charter, these Statutes and Regulations, the Senate shall on the recommendation of Schools and Institutes award Postgraduate Diplomas.

3. Masters Degrees

- (1) A candidate may be conferred with a Masters degree in any School or Institute, provided that he is registered for the degree as a student of the University as specified in the Regulations, pursues such advanced study or research or both as may be approved by Senate.

- (2) A candidate for a masters degree shall perform such other work and comply with such other conditions as may be presented, after satisfying the requirements for the award of the Masters degree in the School or Institute concerned or after admission to the status of that degree or admission as a research student in accordance with this Statute and the Regulations on admissions.

4. *Doctorate Degrees*

- (1) A candidate shall be conferred with a Doctorate degree in a School or Institute of the university provided that he or she has been registered for the degree as a student of the University as specified in the Regulations for Admission and has pursued such advanced study or research or both as may be approved by Senate.
- (2) Such a candidate for a doctorate degree shall perform such other work and comply with such other conditions as may be presented, after satisfying the requirements for the conferment of the Doctorate degree in the School or Institute concerned or after admission to the status of that degree or admission as a research student in accordance with this Statute and the Regulations on admissions.

5. *Honorary Degrees*

- (1) Subject to the Act, the Charter, these Statutes and the relevant guidelines, the University may confer Honorary degrees.
- (2) A proposal to grant an Honorary degree may be made by a member of the Council, a member of the Senate or a member of academic staff or the Alumni and shall be communicated in writing to the Vice Chancellor.
- (3) Every proposal under subparagraph (2) shall be accompanied by a statement setting forth the degree recommended and the detailed grounds on which the recommendation is based.
- (4) There shall be a Committee for Honorary degrees consisting of-
 - (a) the Vice-Chancellor, who shall be the Chairperson;
 - (b) the Deputy Vice-Chancellor in charge of academics; and
 - (c) three members of the Senate.
- (5) In each case set out above, the Dean of the School in which the degree is proposed to be conferred shall be consulted. The proposal for conferment of an Honorary degree shall be considered by Senate and shall be approved by Council.
- (6) An honorary degree shall be conferred by the Chancellor presiding at the Congregation at which it is being conferred and where the recipient is the presiding Chancellor, by the Vice-Chancellor.

6. *Diplomas and Certificates*

Subject to the Charter, these Statutes and the Regulations, the Senate shall on the recommendation of Schools, Directorates, Institutes and Centres award-

- (a) diplomas;
- (b) certificates; and
- (c) other awards.

Statute XXXVI: Congregation for the Conferment of Degrees and Award of Diplomas

1. For purposes of conferring degrees and awarding diplomas and certificates of the University, there shall be held from time to time a meeting of the University which shall be called a Congregation convened in accordance with the provisions of the Act and the Charter.
2. Subject to the provisions of the Act and the Charter, the Congregation shall be constituted of the Members of the University. The Congregation shall be presided over by the Chancellor, or in his absence the Vice-Chancellor or some other person nominated in writing by the Vice-Chancellor.
3. The procedure of convening a Congregation, for the presentation of graduands and for the conferment of degrees and all other matters relating to the Congregation, shall be as may be determined by Senate and approved by the Council from time to time. The Vice-Chancellor shall declare a Congregation of the University a meeting convened for the purpose of conferment of degrees and awarding diplomas and certificates and shall pronounce such Congregation dissolved at the end of the Ceremony.

Statute XXXVII: Processing and Signing of Certificates

1. Certificates awarded in respect of degrees, diplomas and certificate programmes shall be approved by Senate.
2. Certificates awarded in respect of programmes lasting less than one year shall be approved by the College, Institute or School Boards.
3. The format and features to appear on the certificate shall be determined by Senate and approved by Council as is necessary from time to time.
4. (1) Degree and diploma certificates shall be signed by the Vice-Chancellor and the Deputy Vice Chancellor in charge of Academics;
 - (2) Certificates for certificate programmes shall be signed by the Deputy Vice-Chancellor in charge of Academics and the Dean of the respective School.
 - (3) Certificates for certificate programmes lasting less than one year shall be signed by the Dean of the School and the respective Head of Department.

4. All Certificates shall be printed in accordance with prescribed public procurement procedures.

Statute XXXVIII: Cancellation of Degrees, Diplomas and Certificates

1. Subject to the provisions of Section 7(2) of the Act and upon recommendation by Senate, the Council may cancel a degree, diploma, certificate or any other award of the University.
2. A degree, diploma, certificate or other award of the University may be cancelled only for the following reasons-
 - (a) Where evidence of falsification of academic documents for entry into the University to pursue the programme for which the certificate was issued is discovered after one has graduated from the University.
 - (b) Where a graduate or one purporting to be a graduate of the University is found guilty of falsifying transcripts or the certificate.
 - (c) Where a graduate is involved in some fraud or misconduct likely to bring the image of the University into disrepute.
 - (d) Where a graduate is involved in plagiarism or any other form of academic dishonesty.
3. Upon receipt of a report of a falsified certificate or academic transcript, the Registrar Academics, shall make a proposal to the Vice-Chancellor through Deputy Vice-Chancellor in charge of Academics for tabling in the Senate requesting for cancellation of the degree, diploma, certificate or award by citing any of the reasons in paragraph 2 of this Statute.
4. A proposal for cancellation of the degree, diploma, certificate or award may be made by any member of the University citing any of the reasons in paragraph 2 of this Statute.
5. Before cancellation of a degree, diploma, certificate or any other award of the University, the Senate shall constitute a Committee to consider the proposed cancellation.
5. The Committee of the Senate referred to in paragraph 5 of this Statute shall be chaired by the Deputy Vice Chancellor in charge of academics and composed of the following members:
 - (a) the Registrar (A, R&E)
 - (b) the Director of Quality Assurance;
 - (c) the relevant Dean;
 - (d) the relevant Head of Department;
 - (e) two persons nominated by Senate;
 - (f) the Dean of Students; and
 - (g) one person nominated by the Alumni Association

6. A person found to have committed an offence of falsifying a certificate or transcripts of the University shall not only have the certificate cancelled, but the University shall also prefer charges of forgery against him or her in a court of law and expel the person if he or she has not completed studies.

Statute XXXIX: Financial Provisions

1. All the funds, movable and immovable assets and property of the University shall be managed and utilized by the Council in accordance with the Act, the Charter, these Statutes, Financial Regulations, and any other written law, in such manner and for such purposes as, in the opinion of the Council, shall promote the best interest of the University.
2. Pursuant to Section 3(2) of the Charter, the Council may borrow funds for such purposes from such sources and under such arrangements as may be approved by a resolution of Council from time to time and in accordance with the procedures laid down by the Government of Kenya.
3. Pursuant to section 4(3) of the Universities Act, the University may, subject to any other written law, regulation and guidelines, appeal to the general public for subscriptions, donations or bequests for the benefit of the University.
4. The University may incur expenditure in accordance with budgets approved by Council, and any approved expenditure under any vote head of the budget may not be exceeded without the prior approval of the Council.
5. There shall be an Endowment Fund which shall be administered in accordance with the Endowment Fund Policy of the University.
6. All the moneys of the University shall be paid into any other of the following accounts-
 - (a) the Special Account;
 - (b) the Capital Account;
 - (c) the Revenue Account;
 - (d) the Operational Account (payment)
 - (e) the Research Account;
 - (f) the Project Account; and
 - (g) such other account as Council may determine from time to time.
7. The Endowment Fund Account

There shall be paid into the Endowment Account all such moneys as are received by the University and as are declared specifically to be payable into the Fund.
8. The Special Account
 - (1) There shall be paid into the Special Account all such moneys as are received by the University for special purposes and as are not payable into the Endowment Fund Account.

- (2) The moneys and the interest thereon from the Special Account shall be used and applied for the special purposes for which such moneys were established.
- (3) Revenue generated by any Unit of the University shall be paid into the Special Account and shall be used for the furtherance of the interests of the Unit for which it was generated.
- (4) The Unit funds shall be accounted for in the same manner as all other University funds.

9. The Capital Account

- (1) There shall be paid into the Capital Account all such moneys as are received by the University for the purpose of capital expenditure for construction, development and infrastructure of the of the University.
- (2) The capital money and the interest thereon from the Capital Account shall be used and applied on capital expenditure for the construction, development and infrastructure of the University.

10. The Revenue Account

- (1) There shall be paid into the Revenue Account—
 - (a) All fees, dues and other amounts payable by or in respect of students;
 - (b) Revenue grants by the Kenya Government or by any other Government or person;
- (2) The money outstanding to the credit of the Revenue Account shall be transferred to operational account for disbursement.

11. Operational Account

- (1) There shall be paid into the Operational Account all transfers from revenue account and / or other accounts;
- (2) The monies so transferred shall be used for the general operation of the University as per Council's approved budget or as specified.

12. The Research Account

There shall be paid into Research Account all such moneys as are received for research activities. Balance of such funds shall not be surrendered at the end of the financial year but shall be carried forward to the next financial year. Money allocated for research shall be used for research activities only.

13. Project Account

- (1) All monies received for specific projects shall be deposited in the Project Account and spent as per the projects stated budgets, and the balance of such funds shall not be surrendered at the end of the financial year but shall be carried forward to

- the next financial year, and money allocated for projects shall be expended on projects only.
- (2) The University Management Board shall determine the monies that may not be immediately required for any application or use and may approve the investment in securities or place on deposits with such bank as may be determined in accordance with section 49(2) of the Act.
- (3) The University Management Board may upon maturity of securities or other urgent need retire monies invested in securities or placed on deposits to finance University operations.
14. The Council shall cause the preparation and submission of annual estimates of the revenue and expenditure (both recurrent and capital) of the University to the Cabinet Secretary for the time being in charge of Higher Education for approval in such form and at such times as the Cabinet Secretary shall from time to time prescribe, in accordance with the provision of Section 44(1) of the Act.
15. The University may incur expenditure for purposes of the institution in accordance with estimates approved by Council, and any approved expenditure under any sub head of the estimates may not be exceeded without approval of the Council.
16. In accordance with Section 47(1) of the Act, the Council shall cause to be kept all proper books and records of accounts of the income, expenditure and the assets of the University.
17. Within three months from the end of each financial year, the University shall submit to the Kenya National Audit Office the accounts of the University together with-
- (a) a statement of income and expenditure of the University during the financial year; and
- (b) a balance sheet of the University on the last day of the year.
18. The accounts of the University shall be audited and reported in accordance with the provisions of the Public Audit Act 2003.
19. In accordance with Section 50, of the Act, the financial year of the University shall be the period of twelve months commencing on the 1st July and ending on 30th June in each year.

Statutes XXXX: Budgeting and Expenditure

1. The preparation of budgets of all Units shall start in July of each year and shall be submitted to the budget sub-committee in September next following for consideration and consolidation into the master budget.
2. The preparation of the University master budget shall begin in October and shall be completed by November of each financial year.

3. The Management Board shall consider and forward the budget to the Council by the end of December of each year for consideration before being forwarded to the Ministry.
4. The approval of the Council shall be communicated in July.
5. The approved funds for various Colleges, Campus Colleges, Campuses and other Units shall be disbursed for the execution on approved expenditure.

Statute XXXXI: General Provisions

1. Appointment of Committees

- (1) The Council, Senate, Management Board and the Boards of the College, Campus College, Schools, Directorates, Institutes, Centres or Departments may respectively appoint such standing, special or ad-hoc Committees as they may deem fit, and any such Committee may include students and persons who are not members of the body appointing the Committee, and the powers and duties of any Committee shall be such as the body appointing it may from time to time direct and shall include the powers to appoint sub-Committees as it deems fit.
- (2) The body appointing a Committee may make rules of procedure for the Committee.
- (3) Every Committee shall meet within University premises, however in exceptional circumstances; the Committee may meet at any other premises upon approval by the Vice-Chancellor. Such Committees may determine their own procedures and time of meetings.

2. Proceedings

- (a) The Council, Senate, Management Board and Boards of Colleges, Schools, Institutes, Departments, Campuses, Directorates or Centres respectively may from time to time make regulations for governing their respective proceedings subject to the provisions of the Charter, these Statutes and Regulations.
- (b) Unless otherwise provided by the Charter, these Statutes or the Regulations, when any matter or question is put to a vote, it shall be determined by consensus or a simple majority vote of those present and voting, and in case of equality of votes, the Chairperson or other presiding Officer shall have a casting vote.

3. Powers of Delegation

- (1) Subject to the provisions of the Charter, these Statutes and the Regulations, the Council, Senate, Management Board and Boards of Colleges, Schools, Institutes, Departments, Campuses, Directorates or Centres may, subject to such conditions as they may deem fit to, impose or delegate any of the powers or duties conferred under the Charter, these Statutes or the Regulations to their respective appointees.

- (2) Subject to the Charter, these Statutes and the Regulations, any delegation of powers shall be revocable at will and shall not preclude the person or body making the delegation from exercising any of the powers or duties conferred or imposed under the Charter, these Statutes or the Regulations.
- (3) Council shall not delegate its powers to alter, amend, add to or revoke any of the provisions of these Statutes and the Regulations.

4. Contracts

Contracts on behalf of the University may, in addition to any other manner effectual in law, be made as follows-

- (a) A contract which if made between private persons would be by law required to be in writing and to be under Seal, may be made on behalf of the University in writing under its Common Seal;
- (b) A contract which if made between private persons would by law be required to be in writing and signed by the parties to be charged therewith may be made on behalf of the University in writing and signed by any person acting under the express authority of the Council;
- (c) A contract which if made between private persons would by law be valid although made orally and not reduced into writing may be made either in writing or orally on behalf of the University by any person acting under the express or implied authority of Council; and
- (d) A contract made according to subparagraph (c) may in addition to any other manner effectual at law be varied or discharged in the same manner in which it is authorized to be made.

5. Disclosure of interest

- (1) A member of the University, as provided in Section 9 of the Charter shall not take or hold any interest in any property belonging to the University other than as a Trustee for the purpose thereof.
- (2) Where a member is directly or indirectly interested in any contract or other matter before the University Council or a committee thereof and is present at a meeting at which the contract or other matter is the subject of consideration, the person shall, at the meeting and as soon as reasonably practicable after the commencement, disclose the interest, and shall not take part in the consideration or discussion of, or vote on any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter.
- (3) The Ethics and Anti-corruption Act, the Public Officer' Ethics Act, the Universities Act, the Public Procurement and Disposal Act, 2005 and Regulations 2006, and other relevant laws hereto as shall be amended from time to time shall apply herein

6. Service of Notices and Documents

- (1) Except where otherwise expressly provided by the Charter, any notice or document required by or for the purpose of the Charter, these Statutes, or the Regulations to be given or sent to any person may be given or sent either personally or by sending it by email, University website, facsimile or by post to his or her at his or her last known postal address.
- (2) Where a notice or other documents is sent by post, service thereof shall be deemed to have been properly effected by correctly addressing and posting a letter containing the notice or other documents, and at the expiration of seven days after the letter is put in the registered post.
- (3) Where a notice or other document is sent by email or fax, or posted on the University website service thereof shall be deemed to have been properly effected upon expiry of seven days following the date of dispatch.
- (4) The omission to give notice to or send a document to any person entitled to receive the same shall invalidate the proceedings consequent upon such notice or document.

Statute XXXXII: Amendment and Review of Statutes

1. These Statutes may be amended or reviewed by Council from time to time.
2. The amendment or review of these Statutes shall be in accordance with the provisions of Section 26(3) of the Charter.

Statute XXXXIII: Publication of Statutes in the Gazette

Subject to the provisions of Section 23(2) of the Act, these Statutes and any subsequent amendments or review thereto shall be published in the Gazette.

Made on the 10th October, 2013.

K. J. IKINDU,
Chairman, Moi University Council.

R. K. MIBEY,
Secretary, Moi University Council.