

## **SPECIAL ISSUE**



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GAZETTE NOTICE No. 2291

### **THE COMMISSIONS OF INQUIRY ACT (Cap. 102)**

#### **APPOINTMENT OF COMMISSION OF INQUIRY**

IN EXERCISE of the powers conferred by section 3 of the Commissions of Inquiry Act, I, Daniel Toroitich arap Moi, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, being of the opinion that it is in the public interest, do appoint a commission of inquiry to inquire into the education system of Kenya, to be headed by Davy K. Koech (Dr.) as the chairman and Florida Karani (Prof.) as the vice-chairman and—

H. W. O. Okoth-Ogendo (Prof.),  
F. Indire (Prof.),  
Jack Green Okech (Prof.),  
Joseph D. Kimura,  
El Busaidy (Prof.),  
Sheikh Abdi Salaam Mohamed,  
David Mbiti (Prof.)  
Ambrose Adongo,  
George King'oria (Prof.)  
Mwakai Sio,  
Bishop John Njue,  
Jasper Mumo (Prof.),  
J. J. Ngatiari,  
Jackson Kang'ali,  
Michael Nduramo (Dr.)  
Nathaniel K. Chepkener,  
Noah Chune,

as the commissioners, and

Joseph M. Mungai (Prof.)  
David Some (Prof.)

shall be the joint secretaries to the commission.

Dated the 14th May, 1998,

D. T. ARAP MOI,  
President.

GAZETTE NOTICE No. 2292

### **THE COMMISSIONS OF INQUIRY ACT (Cap. 102)**

#### **COMMISSION OF INQUIRY**

##### *Citation*

A COMMISSION to inquire into the education system of Kenya.

Now therefore, in exercise of the powers conferred upon the President by section 3 of the Commissions of Inquiry Act, I, Daniel Toroitich arap Moi, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, do direct the commissioners to hold an inquiry at Nairobi with immediate effect. The terms of reference shall be:

- (a) To review Kenya's education system and recommend ways and means of enabling it to facilitate—
  - (i) national unity;
  - (ii) mutual social responsibility;
  - (iii) accelerated industrial and technological development;
  - (iv) consolidation and enhancement of life-long learning and adaptation in response to changing circumstances.
- (b) To recommend a possible programme of action, bearing in mind the financial constraints the Government is faced with, in reference to—
  - (i) the legal framework of education;
  - (ii) the structure of the 8-4-4 system of education;
  - (iii) the contribution of continuing education;
  - (iv) the role of private sector in providing educational opportunities;
  - (v) the need for co-ordination between all forms of education and training;
  - (vi) the management and administration of education;
  - (vii) the appropriate rates and types of expansion in education and training;

- (viii) the content of education at different levels, with special attention to early childhood special education and primary education;
- (ix) ways and means of improving accessibility, equity, relevance and quality, with special attention to gender sensitivity, the disabled and the disadvantaged groups;
- (x) ways and means of enhancing the operation and management, including the cost-benefit and cost-effectiveness of formal and non-formal education; ways and means of improving capacity to formulate, implement and control educational programmes; and the appropriate degree of decentralization in administration and financial control;
- (xi) to suggest ways and means of developing comprehensive social education, values and ethics, AIDS-related educational programmes at the macro-and micro-levels;
- (xii) to suggest ways and means of creating and promoting alternative educational programmes;
- (xiii) the challenges of university education;
- (xiv) ways and means of promoting liberalization of the educational sector, with special reference to the utilization of the specialized resources of universities and similar institutions as vehicles for accelerated national development,

and in accordance with the provisions of section 7 (1) of the said Act, to report thereon as soon as reasonably practicably but not later than 12 months from the date of this notice.

And I do direct that—

H. W. O. Okoth-Ogendo (Prof.),  
 F. Indire (Prof.),  
 Jack Green Okech (Prof.),  
 Joseph D. Kimura,  
 El Busaidy (Prof.),  
 Sheikh Abdi Salaam Mohamed,  
 David Mbiti (Prof.)  
 Ambrose Adongo,  
 George King'oria (Prof.)  
 Mwakai Sio,  
 Bishop John Njue,  
 Jasper Mumo (Prof.),  
 J. J. Ngatiari,  
 Jackson Kang'ali,  
 Michael Ndurumo (Dr.)  
 Nathaniel K. Chepkener,  
 Noah Chune,

shall be the commissioners and that Davy K. Koech (Dr.) shall be

the chairman of the said Commission and Florida Karani (Prof.) shall be the vice-chairman;

And I do appoint—

Joseph M. Mungai (Prof.)  
 David Some (Prof.)

shall be the joint secretaries to the Commission;

And I do direct that, in performance of its task, the Commission shall—

- (a) review and make use of the official reports, sessional papers and studies of commissions, committees, working parties and task forces that have previously examined Kenya's educational system and made recommendations therein;
- (b) receive views from a broad spectrum of the public;
- (c) commission papers and reports from experts in various areas;
- (d) accept as a constraint that Government recurrent expenditure on education should not grow more rapidly than the Government recurrent budget;
- (e) accept the necessity of providing and/or facilitating quality education to increasing numbers of students, using the available resources.

And I do direct that the commission may co-opt not more than five (5) persons who, in the view of the Commission, could facilitate effective execution of its functions on specific issues as spelt out in the terms of reference.

And I do direct that after its commencement, the said inquiry may be held at such times and in such places as the said commissioners may, from time to time, determine and shall be held in public or in private or partly in public and partly in private as the said commissioners may, from time to time, determine.

And I do direct that the said commissioners shall execute the said inquiry with all diligence and speed and make their report without undue delay.

And I do command all other persons whom it may concern to take due notice hereof and to give their obedience accordingly.

Dated the 14th May, 1998.

D. T. ARAP MOI,  
*President.*