

STATUTORY INSTRUMENTS SUPPLEMENT
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S T A T U T O R Y I N S T R U M E N T S

2007 No. 1.

THE UNIVERSITIES AND OTHER TERTIARY INSTITUTIONS
(NAMING OF UNIVERSITIES, OTHER DEGREE AWARDDING
INSTITUTIONS AND OTHER TERTIARY INSTITUTIONS)
REGULATIONS, 2007.

ARRANGEMENT OF REGULATIONS

Regulation

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4. Composition of the name

STATUTORY INSTRUMENTS

2007 No. 1.

The Universities and Other Tertiary Institutions Act, 2001 (Naming of Universities, Other Degree Awarding Institutions and Other Tertiary Institutions) Regulations, 2007.

(Under sections 96(2)(a), 112(2)(a) and 128 of the Universities and Other Tertiary Institutions Act, No. 7 of 2001)

IN EXERCISE of the powers conferred upon the National Council for Higher Education by the Universities and Other Tertiary Institutions Act, No. 7 of 2001 and with the approval of the Minister, these Regulations are made this 28th day of November 2006.

1. Title.

These Regulations may be cited as the Universities and Other Tertiary Institutions (Naming of Universities, Other Degree Awarding Institutions and Other Tertiary Institutions) Regulations, 2007.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Universities and Other Tertiary Institutions Act, No. 7 of 2001;

“Institution” means a university, other tertiary or degree awarding centre for higher learning be it private or public;

“National Council” means the National Council for Higher Education established by section 4 of the Act;

“Other Degree Awarding Institution” means such institution as defined in section 2 of the (Amendment) Act, 2006;

“Tertiary institution” means a public or private tertiary institution as defined by section 2 of the Act;

“University” means a public or private institution as defined by section 2 of the Act.

3. Reservation of name and prohibition of undesirable name.

(1) The National Council may, on written application, reserve a name pending registration of an institution or a change of name by an existing institution.

(2) A reserved name shall remain in force for a period of sixty days or such longer period, as the National Council may deem fit but not exceeding one hundred twenty days, and during that period, no other institution shall be entitled to be registered with that name.

(3) The National Council shall advise the institution to change its name if the proposed name is identical to another institution already registered or has political, moral or social connotations or which has an impact on the name of a government department or geographical area.

(4) The National Council shall reject an application by an institution, which fails to comply with sub-regulation (3).

4. Composition of the name.

(1) An institution applying to be registered, as a university shall, at the beginning, within or after its proposed name, include the word “university”.

(2) Any other institution applying to offer higher education shall include at the beginning, within or at the end of its proposed name, the type of higher education it wishes to offer.

(3) The National Council shall not reserve a name or register an institution whose proposed name bears two or more words similar to the name of another institution previously registered.

(4) If, inadvertently or otherwise, an institution on its first registration or on its subsequent registration by a new name is registered by a name, which in the opinion of National Council, is too identical to the name of another institution previously registered, the first mentioned institution shall change its name with the approval of the National Council.

(5) If the National Council directs an institution to change its name in compliance with sub-regulation (2), such change shall be effected within forty-five days from the date of the direction or such longer period as the National Council may deem fit.

(6) If an institution fails to comply with a direction under sub-regulation (3), such institution is liable to a fine not less than ten currency points for every day during which the non-compliance continues.

(7) A change of name of an institution in this regulation shall not affect any rights and obligations of the institution or render defective any legal proceedings by or against the institution and any legal proceedings that may have been commenced against the institution in its former name may be commenced in its new name.

SCHEDULE

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

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