



THE SENATE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Thursday, 11th April, 2019

1. The Senate met at 10:52 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 10th April, 2019.

Question was put and the Votes and Proceedings were approved.

3. **Petition:**

Rising on Rule 41, Senator Gilbert E. Nnaji (*Enugu East*) drew the attention of the Senate to a petition from his constituent, Nweke W. A. Igwenagu, against the Federal Road Safety Corps, over wrongful termination of his appointment. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

4. **Personal Explanation:**

Rising on Rule 43, Senator Shehu Sani (*Kaduna Central*) drew the attention of the Senate to the continuous abduction of Miss Leah Sharibu of the Science Secondary School, Dapchi by Boko Haram insurgents since 2018. He stated that the Federal Government should reach out to the abductors to secure her release and the remaining Chibok School Girls; and other Nigerians in captivity. He urged the Federal Government to intensify dialogue and thanked the media for keeping the issue alive.

5. **Personal Explanation:**

Rising on Rule 43, Senator Kabir G. Marafa (*Zamfara Central*) drew the attention of the Senate to his yesterday's Motion on the need to create an intervention fund in the 2019 Appropriation to cater for the victims of the deteriorating humanitarian crisis resulting from activities of armed bandits in Zamfara State. He expressed gratitude to the Senate President, Leadership and Distinguished Senators for their immense contributions on the plight of Zamfara State indigenes. He urged the Chairman, Committee on Appropriations to adopt the Senate Resolution (*S/Res/072/04/19*) of 10th April, 2019 in 2019 Appropriation Bill to alleviate the hardship of the people of Zamfara State.

6. **Committee on Power, Steel Development and Metallurgy:**

Report on the Electric Power Sector Reform Act No.6, 2005 (Amendment) Bill, 2019 (SB. 496):

Motion made: That the Senate do receive the Report of the Committee on Power, Steel Development and Metallurgy on the Electric Power Sector Reform Act No.6, 2005 (Amendment) Bill, 2019 (*Senator Enyinnaya H. Abaribe — Abia South*).

Question put and agreed to.

Report Laid.

7. Committee on Foreign Affairs:

Report on the Screening of three(3) Career Ambassadorial Nominees:

Motion made: That the Senate do receive and consider the Report of the Committee on Foreign Affairs on the confirmation of nominations of the following persons for Appointment as Career Ambassadors-Designate:

No.	Name	State
(i)	Mr. Christopher C. Chejina	Delta
(ii)	Mr. Bukar Kolo	Yobe
(iii)	Mr. M. A. Mabdul	Benue

(Senator Monsurat J. A. Sunmonu — Oyo Central).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Foreign Affairs on the confirmation of nominations for Appointment as Career Ambassadors-Designate:

Nominees recommended for confirmation:

(i)	Mr. Christopher C. Chejina <i>(Delta)</i>	—	<i>Agreed to.</i>
(ii)	Mr. Bukar Kolo <i>(Yobe)</i>	—	<i>Agreed to.</i>
(iii)	Mr. M. A. Mabdul <i>(Benue)</i>	—	<i>Agreed to.</i>

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Foreign Affairs on the confirmation of nominations for Appointment as Career Ambassadors-Designate and approved the nominations.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Mr. Christopher C. Chejina *(Delta)* for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria?” — *Resolved in the Affirmative.*

Nomination of Mr. Christopher C. Chejina (Delta) for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Mr. Bukar Kolo *(Yobe)* for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria?” — *Resolved in the Affirmative.*

Nomination of Mr. Bukar Kolo (Yobe) for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. M. A. Mabdul (Benue) for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria?" — Resolved in the Affirmative.

Nomination of Mr. M. A. Mabdul (Benue) for appointment as Career Ambassador-Designate of the Federal Republic of Nigeria accordingly confirmed.

8. Committee on National Planning and Economic Affairs:

Report on the Confirmation of the Nominations:

Motion made: That the Senate do receive and consider the Report of the Committee on National Planning and Economic Affairs on the Confirmation of the Nominations of the following persons for Appointment as Chairman and Members of the Board of National Bureau of Statistics (NBS):

S/No.	Name	Position	Zone
(i)	Dr. Kabiru Nakaura	Chairman	North West
(ii)	Mr. Akinola I. Bashir	Member	South West
(iii)	Prof. Moses I. Momoh	Member	South South
(iv)	Wallijoh Danladi Ahijoh	Member	North Central
(v)	Adam Modu	Member	North East
(vi)	Nwafor Paul Chukwudi	Member	South East

(Senator Yele O. Omogunwa — Ondo South).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on National Planning and Economic Affairs on the Confirmation of the Nominations for Appointment as Chairman and Members of the Board of National Bureau of Statistics (NBS):

Nominees recommended for confirmation:

(i)	Dr. Kabiru Nakaura (Chairman)(North West)	—	Agreed to.
(ii)	Mr. Akinola I. Bashir (Member)(South West)	—	Agreed to.
(iii)	Prof. Moses I. Momoh (Member)(South South)	—	Agreed to.
(iv)	Wallijoh Danladi Ahijoh (Member)(North Central)	—	Agreed to.
(v)	Adam Modu (Member)(North East)	—	Agreed to.
(vi)	Nwafor Paul Chukwudi (Member)(South East)	—	Agreed to.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on National Planning and Economic Affairs on the Confirmation of the Nominations for Appointment as Chairman and Members of the Board of National Bureau of Statistics (NBS) and approved the nominations.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Dr. Kabiru Nakaura (*Chairman*)(*North West*) for appointment as Chairman of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Dr. Kabiru Nakaura (Chairman)(North West) for appointment as Chairman of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Mr. Akinola I. Bashir (*Member*)(*South West*) for appointment as Member of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Mr. Akinola I. Bashir (Member)(South West) for appointment as Member of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Prof. Moses I. Momoh (*Member*)(*South South*) for appointment as Member of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Prof. Moses I. Momoh (Member)(South South) for appointment as Member of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Wallijoh Danladi Ahijoh (*Member*)(*North Central*) for appointment as Member of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Wallijoh Danladi Ahijoh (Member)(North Central) for appointment as Member of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Adam Modu (*Member*)(*North East*) for appointment as Member of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Adam Modu (Member)(North East) for appointment as Member of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Nwafor Paul Chukwudi (*Member*)(*South East*) for appointment as Member of the Board of National Bureau of Statistics (NBS)?” — *Resolved in the Affirmative.*

Nomination of Nwafor Paul Chukwudi (Member)(South East) for appointment as Member of the Board of National Bureau of Statistics (NBS) of the Federal Republic of Nigeria accordingly confirmed.

9. Federal University of Environment, Science and Agriculture Ogoni, Rivers State (Establishment, etc.) Bill, 2019 (SB.680):

Motion made: That a Bill for an Act to provide for the establishment of the Federal University of Environment, Science and Agriculture Ogoni, Rivers State and for Other Matters Connected Therewith, 2019 be read the Second Time (*Senator Magnus N. Abe — Rivers South-East*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Two (2) weeks.

10. Committee on Tertiary Institutions and TETFUND:

Report on the Education (National Minimum Standards and Establishment of Institutions) (Amendment) Bill, 2019 (SB. 559):

Motion made: That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the Education (National Minimum Standards and Establishment of Institutions) (Amendment) Bill, 2019 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into Committee of the Whole to consider the Report (*Senate Leader*)

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE EDUCATION (NATIONAL MINIMUM STANDARDS AND ESTABLISHMENT OF INSTITUTIONS) CAP E3 LFN 2004; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019.

THE EDUCATION (NATIONAL MINIMUM STANDARDS AND ESTABLISHMENT OF INSTITUTIONS) ACT CAP E3 LFN 2004 (IN THIS BILL REFERRED TO AS THE PRINCIPAL ACT) IS HEREBY AMENDED AS SET OUT IN THIS BILL.

Clause 1: Amendment of Section 1:

Section 1 of the Principal Act is amended by substituting for the existing heading as follows:

"Minimum standards for early childhood care and development centers, pre-primary and primary institutions"

The existing subsection 1(1) is amended with a new subsection 1(1) as follows;

"(1) The responsibility for the establishment and maintenance of minimum standards in early childhood care and development centers, pre-primary and primary institutions, and other similar institutions in the Federation is hereby vested in the Minister."

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2:**Amendment of Section 2:**

Section 2 of the Principal Act is amended by:

- (i) Substituting subsection (f) with a new subsection (f)
"to develop social skills through team building activities;"
- (ii) inserting new subsections (i) to (l) after subsection (h)
- (i) to lay the foundation for academic, cognitive, social and emotional development;
- (j) to promote readiness for reading, literacy and numeracy;
- (k) to develop creativity in children; and
- (l) to develop a love for learning.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3:**Amendment to Section 3:**

Section 3 of the Principal Act is amended by substituting subsection (1)(g) with a new subsection (1)(g)

"(1) (g) to provide basic knowledge and skills for further advancement in academic and technical education, including preparation for local trades and crafts."

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4:**Amendment Section 4:**

Section 4 Minimum standards in secondary schools and certain categories of teacher education

- (1) The responsibility for the establishment and maintenance of minimum standards in secondary schools and similar institutions in the Federation shall be vested in the Minister.
- (2) The responsibility for the establishment and maintenance of minimum standards in the Federation in respect of teacher education not carried out as part of higher education is hereby vested in the Minister.
- (3) In prescribing the minimum standards mentioned in subsections (1) and (2) of this section, the Minister shall have regard to the matters mentioned in sections 5 to 7 of this Act.

Section 4 of the Principal Act is amended by

- (i) inserting a new subsection (4) and (5) as follows

"(4) The responsibility for the establishment and maintenance of minimum standards in the Federation in respect of teacher education carried out as part of higher education but not extending up to degree level is hereby vested in the National Commission for Colleges of Education, after obtaining prior approval therefor from the Minister."

"(5) In prescribing the minimum standards mentioned in subsection (4), the National Commission for Colleges of Education and, as the case may be, the Minister, shall have regard to the matters mentioned in sections 7 and 11 of this Act."

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: Amendment to Section 7:

Section 7 of the Principal Act is amended by inserting a new subsection (a) before the existing (a) and a new subsection (f) as follows:

"(a) To produce highly effective classroom teachers who are equipped with the knowledge and skills to employ the best techniques to achieve optimum student learning" immediately below the phrase, "Purpose of teacher education".

"(f) to institute practices that ensure the continuing education of teachers."

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: Amendment to Section 8:

Section 8(3) of the Principal Act is amended by substituting the phrase,

"in section 9 of this Act" with the phrase, "in section 9 and 11 of this Act".

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: Amendment to Section 9:

Section 9 is amended by substituting:

(i) the words "the provision of" in subsections (a) and (c) with the words, "to produce"

(ii) the words "the provision of" in subsections (b) and (e) with the words, "to provide"

(iii) the words, "the introduction of" in subsection (d) with the words, "to introduce"

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: Amendment to Section 10:

The heading of sections 10-11 is hereby changed from "Higher Education" to "University and Higher Education".

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: Section 10 of the Principal Act is amended by substituting subsection (1) with a new subsection (1) as follows:

"(1) The power to lay down and enforce minimum standards for all universities and other degree awarding institutions in the federation and the accreditation of their degrees and other academic awards is hereby vested in the National Universities Commission in consultation with the universities for that purpose."

(ii) insert a new subsection (4) and (5) after the existing subsection(3)
"(4) The powers vested in the National Universities Commission by subsection (1) of this section shall supersede such similar powers conferred on any other body by any other Law or Act", and such similar powers shall be void to the extent of their inconsistency with those of NUC."

"(5) Accreditation of all degree programmes in Nigerian Universities and other degree awarding institutions shall be exclusively based on the NUC's minimum academic standards."

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Amendment to Section 13:
Section 13 of the Principal Act is hereby amended by

- (i) substituting subsection (a) with a new subsection (a) as follows—
"(a) to provide adequate education for all physically and mentally challenged children and adults in order to enable them to maximize their full potential and to play their roles in the development of the nation;"
- (ii) inserting a new subsection (c) after the existing subsection (b)
"to provide the optimal education possible in the least restrictive environments for all children and adults with disabilities."

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: Amendment to Section 19:
Section 19 is amended by:

- (i) substituting the heading of the section with a new heading as follows—
"19. Conditions for the establishment of government-owned institutions"
- (ii) amending subsection (1) by
(a) substituting the phrase, "Any institution", with the phrase, "Any government-owned institution" and deleting the phrase "irrespective of the ownership"
- (iii) amending subsection (2)(a) by
substituting the word, "university" with the word, "higher"

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12: Amendment to Section 20:

Section 20 is amended by:

Substituting the word, "learning" everywhere it occurs with the word, "education" and deleting the phrase "and who satisfy the criteria set out in the Schedule to this Act for establishment of institutions" from subsection (b)

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Amendment to Section 21:

Section 21 of the principal Act is amended by:

- (i) Substituting the word, "learning" with the word "education" in subsection (1)
- (ii) Substituting the phrase "tertiary institution" with the phrase "institution of higher education" everywhere it occurs in subsection (2)
- (iii) Substituting subsection (3) with a new subsection (3)(a) and (b)
"(3) No person or group of persons (whether corporate or incorporate):—
(a) shall be granted approval to establish an institution of higher education unless the criteria set out in the Schedule of this Act have been satisfied." and
(b) shall establish or run an institution of higher education in any part of Nigeria, either independently or in conjunction with any institution of higher education within or without Nigeria, without the written approval of the appropriate authority.
- (iv) Inserting a new subsection (4)
"(4) The approval to establish an institution of higher education shall be granted in the form of license, which license shall be granted for such period, and subject to such further terms and conditions, as the appropriate authority may prescribe, in consultation with the Minister."

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 13 do stand part of the Bill, put and agreed to.

Clause 14: Amendment to Section 22:

Section 22 of the Principal Act is amended by substituting the existing Section 22 with a new Section 22 as follows—

Powers to enforce minimum standards in institutions of higher education

- (1) (a) Any person or group of persons who establishes or operates an unapproved institution of higher education, including persons acting as Principal Officers in such an institution, shall be guilty of an offence and shall be liable severally on conviction to imprisonment for a term of not less than five years and not more than ten years without an option of fine.

- (b) Any institution of higher education established otherwise than in compliance with sections 19, 20 and 21 of this Act shall be deemed to be illegal and shall be liable to closure by the appropriate authority
 - (c) Where an offence under subsection (a) of this section is committed by a body corporate, firm or partnership, it shall be liable on conviction to a fine of not less than five million naira, and
 - (i) the chairman of the Board and directors of the body corporate;
 - (ii) every partner and principal officer of the firm or partnership; and
 - (iii) every person purporting to act in any such capacity shall be severally liable to be prosecuted against and shall be liable on conviction to a term of not less than five years and not more than ten years imprisonment without an option of fine.
 - (d) The powers conferred under this subsection shall not be exercised by the appropriate authority in respect of any institution belonging to any government in the Federation without the prior approval of the President, or the relevant Governor or Local Government Chairman.
- (2) (a) Unless otherwise provided by this Act, the establishment and operation of all institutions of higher education in Nigeria, irrespective of their ownership, shall be subject to, and comply with the licensing and regulatory requirements, of the appropriate authorities, namely—
- (i) The National Universities Commission, in the case of Universities and all other degree-awarding institutions or bodies;
 - (ii) The National Board for Technical Education, in the case of Polytechnics, Colleges of Agriculture, and all other forms of technical education below degree level;
 - (iii) The National Commission for Colleges of Education, in the case of Colleges of Education and all other forms of teacher training below degree level.
- (b) The appropriate authority shall have the power to close down any academic unit or program in any approved institution of higher education within its jurisdiction that does not meet the prescribed minimum standards stipulated for it by that authority, or contravenes existing regulations of same authority.
- (c) With regard to institutions of higher education that are privately owned, the appropriate authority shall have the power, where a breakdown of internal governance processes threatens the maintenance of minimum standards, to —
- (i) Suspend the existing administrative structure of the affected institutions; and
 - (ii) Constitute a Caretaker Committee to temporarily oversee the affairs of that institution:

Provided that the appropriate authority shall, on the successful resolution of the crisis, re-establish the governance structure of the affected institution, in line with the authority's existing regulations.

- (d) The appropriate authority shall have the power to withdraw or suspend a licence of institutions of higher education that are privately owned under the following conditions—
 - (i) where a licence holder contravenes the licence conditions;
 - (ii) fails to comply with the regulations of the appropriate authority or;
 - (iii) fails to comply with the directives of the appropriate authority.
 - (e) Any person or corporate body responsible for carrying out such directive that fails, refuses or neglects to carry out directives issued by the appropriate authority pursuant to the provisions of this subsection, or invites, induces or abets any other person to obstruct or interfere with such a directive shall be guilty of an offence and shall be liable on conviction to a term of not less than one year and not more than three years imprisonment without an option of fine.
- (3) As from the commencement of this Act:
- (a) it shall be unlawful for any University in Nigeria, whether acting individually or in conjunction with other Institution within or outside Nigeria, to establish and/or run degree programs in satellite campuses or study centers outside its primary location.
 - (b) all degree programs being run on satellite campuses and study centers shall cease to operate and all the affected students shall be at liberty to re-apply to any existing approved University running such programs with full accreditation by the National Universities Commission.
 - (c) any person or group of persons, including persons acting as Principal Officers in approved institutions of higher education, who, in contravention of this subsection, approve, establish and/or operate satellite campuses, study centers, or other similar venues by whatever name called, or any other form of unapproved degree-awarding Institution, for running degree programs outside of the primary location of a University shall be liable on conviction to imprisonment for a term of not less than three years and not more than five years without an option of fine.
 - (d) Where the person, body corporate, firm or partnership convicted for operating an unapproved institution of higher education and/or for committing an offence under subsection (3) of this section is also the owner of the premises or landed property in question, such premises or landed property shall, in addition to other punishments stipulated by this Act, be forfeited to the Federal Government—
 - (i) the chairman of the Board and directors of the body corporate;
 - (ii) every partner and principal officer of the firm or partnership; and

- (iii) every person purporting to act in any such capacity shall be severally liable to be prosecuted against and shall be liable on conviction to imprisonment for a term of not less than two years and not more than five years imprisonment without an option of fine.
- (4) (a) Any person who, knowing it is to be used for the operation of an unapproved institution of higher education and/or for purposes prohibited under subsection (3) of this section, sells, lets or otherwise makes available for use his landed property or premises shall be guilty of an offence and liable on conviction to imprisonment for a term of not less than two years and not more than five years without option of fine.
- (b) Where an offence under this subsection is committed by a body corporate, firm or partnership, it shall be liable on conviction to a fine of not less than three million naira, and
 - (i) The chairman of the Board and directors of the body corporate;
 - (ii) Every partner and principal officer of the firm or partnership; and
 - (iii) Every person purporting to act in any such capacity Shall be severally liable to be prosecuted against and shall be liable on conviction to a term of not less than two years and not more than five years imprisonment without an option of fine.
- (c) Where the person, body corporate, firm or partnership convicted for operating an unapproved institution of higher education and/or for committing an offence under subsection (3) of this section is also the owner of the premises or landed property in question, such premises or landed property shall, in addition to other punishments stipulated by this Act, be forfeited to the Federal Government.
- (5) It shall be an offence, punishable on conviction by a fine of not less than one million naira for each person so admitted, for an institution of higher education to admit, for purposes of further education, a person that is in possession of a degree, diploma, certificate or other academic award issued by an unapproved institution of higher education.
- (6) It shall be an offence, punishable on conviction by a fine of not less than one million naira for each person so employed, for an employer of labor, whether in the public or private sector, to recognize and, thereby, base a decision to employ, on a degree, diploma, certificate or other academic award issued by an unapproved institution of higher education.
- (7) Subject to section 174 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), any legal officer in the appropriate authority may conduct criminal proceedings in respect of offences, or regulations made, under this Act.
- (8) The appropriate authority may, from time to time, make regulations, with the approval of the Minister, where mandated to do so by this Act or where the effective administration of this Act so requires.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Amendment of Section 24:

Section 24 of the Principal Act is amended by

Inserting in subsection (1)(g) the word "farms," after the word, "drawing-rooms," and before the word, "typewriting rooms,"

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 15 do stand part of the Bill, put and agreed to.

Clause 16: Amendment to Section 25:

Section 25 of the Principal Act is amended by:

- (i) Inserting the interpretation of the word, "Academic Unit",
"Academic Unit" means a College, Faculty or Department duly approved by the appropriate authority to run academic disciplines or programs"
- (ii) Inserting the interpretation of the word, "Campus",
"Campus" means any primary location of an institution approved by the appropriate authority"
- (iii) Inserting new-subsections (c) to (e) under "The appropriate authority" after the existing subsection (b)
 - "(c) The National Universities Commission, in the case of Universities and all other degree-awarding institutions or bodies;"
 - "(d) The National Board for Technical Education, in the case of Polytechnics, Colleges of Agriculture, and all other forms of technical education below degree level;"
 - "(e) The National Commission for Colleges of Education, in the case of Colleges of Education and all other forms of technical education below degree level."
- (iv) Substituting the interpretation of the word "technical education" with a new interpretation

"technical education" means education given in institutions other than institutions of higher education, providing both the scientific knowledge and practical skills for a specific trade, employment or profession as craftsman, technician, technologist, engineer, scientist or similar levels in business, in the fields of engineering, applied science, agriculture or business."

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17: Amendment of the Schedule:

The Schedule to the Principal Act is amended by

- (i) Amending Clause 2(2)(c) by inserting the word, "on", before the phrase, "staff ratio based on the courses contemplated."
- (ii) Amending the Clause 4(c) as follows by substituting the phrase "the university to the tune of N200 million, N100 million for polytechnic or monotechnic and N50 million for a college of education over a period of five years." With a new phrase "to the university, polytechnic or monotechnic as determine by extant financial guidelines issued by the appropriate authorities."
- (iii) Amending the Clause 4 by inserting new subsections (d) and (e) immediately after the existing subsection (c)

"4. (d) the applicant has established an endowment fund for at least N250 million in a reputable bank for the University which fund shall be increased to N500 million within the first 5 years and to at least N1 billion in the next 10 years of the establishment of the University.
- 4. (e) where the proposed University is registered or incorporated in Nigeria as a charitable company limited by guarantee; the proprietor(s), operator(s), trustees or directors are disentitled from drawing profits from the University"
- (iv) Amending Clause 5(1) by:

deleting the existing subsection 5(1)(b) in the Principal Act and inserting a new Subsection 5 (1)(b) and 5(1)(c) as follows:

"5(1)(b) the minimum land area for a University, Polytechnic, Monotechnic and College of Education shall be determined by the extant guidelines issued by the appropriate authorities."

"5(1)(c) The land forming part of the assets under paragraph (b) at the time of the approval contains fully developed infrastructure which in the opinion of the appropriate authority will be sufficient for the take-off of the Institution."
- (v) Amending Clause 7 by substituting the existing Clause 7 with a new Clause 7

"7. To prevent the problems of inadequate municipal facilities, the proposed institution shall have a clear policy on student and staff accommodation, catering, welfare and other municipal services."
- (vi) Amending Clause 8 by deleting the word, "mission" and substituting it with the word, "vision".

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18: Amendment of Short Title:

Substituting the existing short title with a new short title

"Education (National Minimum Standards and Establishment of Institutions) Amendment Act"

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19: Citation:

This Bill may be cited as the Education (National Minimum Standards and Establishment of Institutions) (Amendment) Bill, 2019.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 19 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Education (National Minimum Standards and Establishment of Institutions) (Amendment) Bill, 2019 and approved as follows:

Clauses 1- 19 — As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Motion made: That the Bill be now read the Third Time (*Senate Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

11. **Committee on Tertiary Institutions and TETFUND:**
Report on the National Board for Technical Education (Repeal and Re-enactment) Bill, 2019 (SB.560):

Consideration of Report deferred to another Legislative Day.

12. **Committee on Tertiary Institutions and TETFUND:**
Report on the National Commission for Colleges of Education Act (Repeal and Re-enactment) Bill, 2019 (SB. 561):

Consideration of Report deferred to another Legislative Day.

13. **Committee on Tertiary Institutions and TETFUND:**
Report on the Federal Colleges of Education Act 1986 (Repeal & Re-enactment) Bill, 2019 (SB.562):

Consideration of Report deferred to another Legislative Day.

14. **Committee on Tertiary Institutions and TETFUND:**
Report on the JAMB Act (Amendment) Bill, 2019 (SB. 625):

Consideration of Report deferred to another Legislative Day.

15. **Committee on Science and Technology:**
Report on the Chemical Weapons (Prohibition) Bill, 2019 (SB. 585):
Consideration of Report deferred to another Legislative Day.
16. **Committee on Gas:**
Report on the Gas Flaring (Prohibition and Punishment) Bill, 2019 (SB. 337):
Consideration of Report deferred to another Legislative Day.
17. **Committee on Agriculture and Rural Development:**
Report on the National Livestock Identification and Management Bureau (Establishment, etc.) Bill, 2019 (SB. 373):
Consideration of Report deferred to another Legislative Day.
18. **Adjournment:**
Motion made: That the Senate do now adjourn till Tuesday, 16th April, 2019 at 10:00 a.m. (*Senate Leader*).
Adjourned accordingly at 12:16 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.