A BILL FOR AN ACT TO AMEND THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION ACT, NO. 45, 2023, TO STRENGTHEN THE ADMINISTRATION AND COORDINATION OF PUBLIC SENIOR SECONDARY EDUCATION; AND FOR RELATED MATTERS. (SB.1075)

CLAUSES	PROVISIONS OF THE PRINCIPAL ACT	PROVISION OF THE BILL	COMMITTEE'S RECOMMENDATION	REMARKS
	ENACTED by the National Assembly of the Federal Republic of Nigeria—	ENACTED by the National Assembly of the Federal Republic of Nigeria:	**RETAINED**	
1. Amendment of the National Senior Secondary Education Commission Act, No. 45, 2023	The National Senior Secondary Education Commission Act, No. 45, 2023	The National Senior Secondary Education Commission Act, No. 45, 2023 (the "Principal Act"), is amended as set out in this Act	RETAINED	
2. Amendment of section 1	PART I - OBJECTIVE AND APPLICATION 1.— (1) The objective of this Act is to set and enforce minimum standards, and provide Federal Government intervention or grants to enhance infrastructure for the overall development of senior secondary education in Nigeria.	**Section 1 of the Principal Act is amended by deleting the number "(1)":** 1. The objective of this Act is to set and enforce minimum standards, and provide Federal Government intervention or grants to enhance infrastructure for the overall development of senior secondary education in Nigeria.	RETAINED	

3. Amendment of section 2	2. This Act shall apply for the purposes of providing grants for infrastructure to address infrastructural gaps bedeviling senior secondary Education in Federal Unity Colleges, the 36 States of the Federation and Abuja, Federal Capital Territory (FCT).	**Section 2 of the Principal Act is amended by substituting the existing section 2 with a new section 2 as follows:** **"2. Application** This Bill shall apply for the purpose of providing interventions for infrastructure to address challenges bedeviling Senior Secondary Education in the 36 States of the Federation and FCT, Federal Unity Colleges and Armed forces Senior Secondary Schools	**RETAINED** **"2. Application** This Bill shall apply for the purpose of providing interventions for infrastructure to address challenges bedeviling **Public Senior Secondary Education** in the 36 States of the Federation and FCT.	**A new section 2**
4. Amendment of section 4	4.— (1) There is established for the Commission a Governing Board ("the Board"). (2) The Board shall consist of — (a) a part-time Chairman, who shall be an experienced educationist up to **Ph.D level** with 20 years cognate experience; (b) a representative each of the Federal Ministries responsible for education, and finance not below directorate cadre;	**Section 4 of the Principal Act is amended –** **(a) in subsection (2)(a) by deleting in line 1 the words "up to Ph.D. level"; and** **(b) in subsection (2)(d) by substituting the phrase "Abuja, Federal Capital Territory, in line 1 with the word "FCT" as follows:** 4.— (1) There is established for the Commission a Governing Board ("the Board").	RETAINED	

	(c) a representative of each of the six geo-political zones of the Federation on a rotational basis for a single term, who shall be an experienced educationist; (d) a person to represent **Abuja, Federal Capital Territory**, who shall be an experienced educationist	(2) The Board shall consist of —(a) a part-time Chairman, who shall be an experienced educationist with 20 years cognate experience; (b) a representative each of the Federal Ministries responsible for education, and finance not below directorate cadre; (c) a representative of each of the six geo-political zones of the Federation on a rotational basis for a single term, who shall be an experienced educationist; (d) a person to represent **FCT**, who shall be an experienced educationist		
	PART IV- OBJECTIVES, ESTABLISHMENT AND DISBURSEMENT OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND	**PART IV- OBJECTIVES, ESTABLISHMENT AND DISBURSEMENT OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND**	**PART IV- OBJECTIVES, ESTABLISHMENT AND DISBURSEMENT OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND**	
5. Amendment of section 20	**20 - OBJECTIVES OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND** The objectives of the National Secondary	**Section 20 of the Principal Act is amended by substituting the existing paragraph (a) with a new paragraph (a) as follows:**	**Section 20 of the Principal Act is amended by substituting the existing paragraph (a) with a new paragraph (a) as follows:**	**New paragraph (a)**

	Education Commission Fund are- (a) To provide grants to the Federal Unity Colleges, 36 State Governments and Abuja, FCT for the provision of physical infrastructure for teaching and learning, instructional materials and laboratory equipment	"(a) to provide intervention to the Federal Unity Colleges, Public Senior Secondary Schools in the 36 states of the Federation and the FCT, Armed Forces Senior Secondary Schools for the provision of physical infrastructure for teaching and Learning, instructional materials and laboratory equipment;".	"(a) to provide intervention to the **Public Senior Secondary schools** in the 36 States of the Federation and the FCT for the provision of physical infrastructure for teaching and Learning, instructional materials and laboratory equipment;".	
6. Amendment of section 21	**21- ESTABLISHMENT OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND -** (1) There is established the National Senior Secondary Education Commission Fund ("the NSSEC Fund") into which shall be paid — (a) Federal Government allocations of at least 2% of the Consolidated revenue Fund of the Federation; (b) take off grants from the Federal Government for the Commission; (c) money received by the Commission from endowments and fund-raising activities relating to senior secondary education; and	**Section 21 of the Principal Act is amended-** **(a) in subsection (1) by deleting paragraph (b); and** **(b) by substituting the existing subsection (2) with a new subsection (2) as follows:** (1) There is established the National Senior Secondary Education Commission Fund ("the NSSEC Fund") into which shall be paid — (a) Federal Government allocations of at least 2% of the Consolidated revenue Fund of the Federation; (b) money received by the Commission from	RETAINED	**Paragraph (b) deleted and renumbered accordingly**

	(d) money received as foreign aid, local and international donor grants for senior secondary education in Nigeria. (2) For any state and FCT to qualify for the Federal Government intervention under subsection (1) such State and the FCT shall— (a) establish the Senior Secondary Education Board in accordance with this Act; (b) contribute at least 5% of the total cost of the project as its commitment in the execution of the project.	endowments and fund-raising activities relating to senior secondary education; and (c) money received as foreign aid, local and international donor grants for senior secondary education in Nigeria. "(2) For any State and the FCT to qualify for the Federal Government intervention under subsection (1), such State and the FCT shall establish a Senior Secondary Education Board in accordance with this Bill.".		
7. Amendment of section 22	**DISBURSEMENT OF THE NSSEC FUND** 22— (1) The Commission shall disburse the money in the NSSEC Fund established under section 21 of this Act for the development of senior secondary education in Nigeria. (2) The NSSEC Fund shall be disbursed by the Commission directly to—	**Section 22 of the Principal Act is amended –** **(a) in subsection (1) line 1 by substituting the word "disburse" with the word "allocate"; and** **(b) by substituting the existing subsection (2) with a new subsection (2) as follows:** 22— (1) The Commission shall allocate the money in the NSSEC Fund established under section 21 of this Act	RETAINED RETAINED	

	(a) the Federal Unity Colleges; and (b)State Senior Secondary Education Boards, and the FCT Senior Secondary Education in accordance with the criteria set by the Commission. (3) The Commission shall, before the disbursement of the money in the NSSEC Fund, set aside in each year 5% of the total money accruing to the NSSEC Fund in the preceding year, which shall be applied to – (a) monitor and evaluate the Federal Government's interventions under this Act; and (b) such other activities as legal service or any other activity incidental to the objectives of the NSSEC Fund. (4) Notwithstanding the provisions of subsection (2) of this Act, the Commission shall have power to sanction any Secondary Education Board that applied previous disbursement of the NSSEC	for the development of senior secondary education in Nigeria. "(2) The NSSEC Fund shall be allocated by the Commission – (a) to the State Senior Secondary Education Board and the FCT Senior Secondary Education Board in accordance with criteria set by the Commission, subject to approval of the Minister; and (b) for direct intervention to the Federal Unity Colleges and Armed Forces Senior Secondary Schools in accordance with criteria set by the Commission, subject to approval of the Minister." (c) in subsection (3) line 1 by substituting the word "disbursement" with "allocation". (d) in subsection (4) line 3 by substituting the word "disbursement" with "allocation".	RETAINED (b)) for direct intervention to **Public Senior Secondary Schools** in accordance with criteria set by the Commission, subject to approval of the Minister." RETAINED RETAINED	**a new subsection (2)-**

	Fund for other purposes contrary to the provisions of this Act.			
8. Amendment of section 23	**23. ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE STATE SENIOR SECONDARY EDUCATION COMMISSION BOARD** 23— (1) For the purposes of implementation of the provisions of this Act, each State of the Federation and Abuja, FCT, shall establish a Senior Secondary Education Board ("the Education Board") which shall consist of — (a) a full-time Chairman who shall be— (i) an experienced educationist or administrator with a PhD. And 20 years cognate experience, and proven integrity, and (ii) the chief executive and accounting Officer responsible for the administration of the Education Board; (b) a representative each of the Ministry responsible for education and finance in	**Section 23 of the Principal Act is amended-** **(a) by substituting the existing section 23 with a new section 23 as follows: -** **"23. Establishment and Composition of the State and FCT Senior Secondary Education Board** (1) For the purpose of implementation of the provisions of this Act, each state of the Federation shall establish a Senior Secondary Education Board (the Education Board), which shall consist of- (a) a part-time Chairman, who shall be the Commissioner in charge of Secondary Education in the State; (b) three members appointed from each of the three Senatorial Districts in the States;	RETAINED RETAINED RETAINED (b) one member appointed from each of the three Senatorial Districts in the States; **one of whom shall be a woman**	*a new section 23 –*

	Abuja, FCT or the State not below the directorate cadre; (c) representative of the All-Nigeria Confederation of Principals of Secondary Schools in Abuja, FCT or the State; (d) a representative of the Commission, not below the directorate cadre; (e)three members appointed from different Area Councils in the Abuja, FCT or from the three senatorial districts in the State on a national basis for two years; and (f) the Secretary to the Education Board of the Abuja, FCT or State (2) The Chairman, members and Secretary of the Education Board who are not ex-*officio* members shall be appointed by the Minister of Abuja, FCT or the Governor on a full-time basis. (3) Members of the Education Board, except Area Councils or senatorial districts representatives, shall hold office—	(c) one representative not below the rank of a director of each of the following- (i) Ministry responsible for education in the State, and (ii) Ministry responsible for finance in the State; (d) one representative of All Nigeria Confederation of Principals of Secondary Schools in the State; (e) one representative of a recognised education-focused Civil Society Organisation; and (f) the Executive-Secretary of the Education Board who shall be the Secretary to the Education Board. (2) For the purposes of implementation of the provisions of this Act, the FCT shall establish the FCT Senior Secondary Education Board (the FCT Education Board), which shall consist of - (a) a part-time Chairman, who shall be the mandate Secretary in charge of	RETAINED RETAINED RETAINED RETAINED	

	(a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and (b) on such terms and conditions as may be specified in their letters of appointment.	secondary education in the FCT (b) one member appointed from each of the six Area Councils, nominated by the Chairman of the Area Councils. (c) one representative not below the rank of a director of each of the following- (i) the Department responsible for education in the FCT, and (ii) the Department responsible for finance in the FCT; (d) one representative of All Nigeria Confederation of Principals of Secondary Schools in the FCT; (e) one representative of a recognised education-focused Civil Society Organisation; and (f) Executive Secretary of the FCT Education Board who shall be the Secretary to the FCT Education Board.	**(b) three other members, appointed from the Area Councils, one of whom shall be a woman, provided no Area Council appoints more than one member.** RETAINED RETAINED	

		(3) The Chairman and members of the State Education Board shall be appointed by the Governor of a State. (4) The Chairman and members of the FCT Education Board shall be appointed by the Minister of FCT. (5) Members of the Education Board shall hold office- (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and (b) on such terms and conditions as may be specified in their letters of appointment.".	RETAINED RETAINED	
9. Insertion of new section 23A: "Executive Secretary of the Education Board"		23A (1) There shall be for the Education Board of a State, an Executive Secretary who shall be- (a) appointed by the Governor on the	**RETAINED**	**Insertion of new section 23A**

		recommendation of the Commissioner responsible for education in the State; (b) the Chief Executive and accounting officer responsible for the administration of the Education Board; and (c) an experienced educationist or administrator with 20 years cognate experience. (2) There shall be for the FCT Education Board, an Executive Secretary who shall be- (a) appointed by the Minister of the FCT on the recommendation of the Mandate Secretary responsible for education in the FCT; (b) the Chief Executive and accounting officer responsible for the administration of the FCT Education Board; and	**RETAINED**	

		(c) an experienced educationist or administrator with 20 years cognate experience. (3) The Executive-Secretary shall hold office – (a) for a term of 4 years in the first instance and may be re-appointed for a further term of 4 years and no more; and (b) on such terms and conditions as may be specified in the letter of appointment."		
10. Amendment of section 24	ESTABLISHMENT OF A SEPARATE ACCOUNT BY THE EDUCATION BOARD 24. – (1) An Education Board shall establish and maintain a separate account into which shall be paid and credited money from the Federal or State Governments or any other source. (2) There shall be disbursed from the account all expenses relating to the management of senior secondary education in the State.	**Section 24 of the Principal Act is amended in subsection (2), line 1 by substituting the word "disbursed" with the word "allocated" as follows:** (2) There shall be allocated from the account all expenses relating to the management of senior secondary education in the State.	**RETAINED** **RETAINED**	

11. Amendment of section 25	THE FUNCTIONS AND POWERS OF THE STATE AND FCT SENIOR SECONDARY EDUCATION BOARDS 25. The State and Abuja, FCT Senior Secondary Education Board shall be responsible for — (a) the management of senior secondary schools in the State and Abuja, FCT; (b) the recruitment, appointment, promotion and discipline of teaching and non-teaching staff on grade level 07 and above; (c) posting and deployment of staff, including intra-state transfer; (d) disbursing funds accruing to it from both Federal and State Government sources; (e) setting up effective functional monitoring and supervisory units in collaboration with the Commission; (f) undertaking new capital projects;	**Section 25 of the Principal Act is amended –** **(a) by deleting in line 1 the word "Abuja," at the opening phrase;** **(b) in paragraph (a) by deleting the word "Abuja";** **(c) in paragraph (h), line 3, by inserting the words "and FCT" immediately after the word "Government"; and** **(d) by substituting the existing paragraph (l) with a new paragraph (l) as follows:** 25. The State and FCT Senior Secondary Education Board shall be responsible for — (a) the management of senior secondary schools in the State and FCT; (b) the recruitment, appointment, promotion and discipline of teaching and non-teaching staff on grade level 07 and above; (c) posting and deployment	RETAINED RETAINED RETAINED RETAINED	

	(g) the training and re-training of teaching and non-teaching staff; (h) accessing and funding of salaries and allowances of teaching and non-teaching staff based on the scheme of service approved by the State Government; (i) ensuring that annual reports are rendered by heads of schools on teachers appointed to assist them; (j) preparing testimonials and certificates of service for teaching and non-teaching staff whenever necessary; (k) dealing with leave matters, including annual vacation; (l) submission of an annual action plan of projects to be undertaking to the Commission; and (m) performing such other functions as the Commission may assign to it.	of staff, including intra-state transfer; (d) disbursing funds accruing to it from both Federal and State Government sources; (e) setting up effective functional monitoring and supervisory units in collaboration with the Commission; (f) undertaking new capital projects; (g) the training and re-training of teaching and non-teaching staff; (h) accessing and funding of salaries and allowances of teaching and non-teaching staff based on the scheme of service approved by the State Government and FCT; (i) ensuring that annual reports are rendered by heads of schools on	**RETAINED** **RETAINED** **RETAINED** **RETAINED**	

		teachers appointed to assist them; (j) preparing testimonials and certificates of service for teaching and non-teaching staff whenever necessary; (k) dealing with leave matters, including annual vacation; "(l) submission of an annual action plan of projects, programmes and policies to be undertaken by the State and FCT Education Board to the Commission." (m) performing such other functions as the Commission may assign to it.	RETAINED RETAINED	
12. Amendment of section 31	INTERPRETATION 31. In this Act – "Counterpart funding" means the amount paid by the State Governments as a condition to access the grant from the Commission established under section 21 of this Act;	**Section 31 of the Principal Act is amended by deleting the definition of the words "Counterpart funding".** DELETED	RETAINED	

13. Amendment of the Schedule	**SCHEDULE Section 4(4)** **SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD** *Proceedings of the Governing Board* *Meeting* 2- (1) The Board shall meet at least four times in each year. (2) At any meeting of the Board, the Chairman shall preside, but in his absence, the members present at the meeting shall appoint one of their number to preside at the meeting	**The Schedule to the Principal Act is amended by substituting the existing paragraph 2(2) with a new paragraph 2(2) as follows:** "(2) At any meeting of the Board, the Chairman shall preside and in his absence the members present at the meeting shall elect one of their members to preside at the meeting."	**13. Amendment of the Schedule** **RETAINED** **RETAINED**	
14. Amendment of the Short Title	**SHORT TITLE** 32. This Act may be cited as the National Senior Secondary Education Commission Act, 2023.	This Bill may be cited as the National Senior Secondary Education Commission (Amendment) Bill, 2026.	**RETAINED**	
	EXPLANATORY MEMORANDUM This Act repeals the National Secondary Education Commission etc., Act Cap N73, Laws of the Federation of Nigeria, 2004 and enacts the National Senior Secondary Education Commission Act, 2023 to	**EXPLANATORY MEMORANDUM** This Bills amends the National Senior Secondary Education Commission Act, No. 45, 2023, to strengthen the administration and governance of Public Senior Secondary Education in Nigeria	**RETAINED**	

	prescribe and enforce minimum standards for senior secondary education in Nigeria and management of the National Senior Secondary Education Fund.			