

# Legal and Socioeconomic Issues Concerning the Nigeria Higher Institution Loan Act 2023

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## Abstract

The Nigeria Higher Institution Loan Act of 2023 serves as an important framework for addressing financial accessibility to higher education. The Act's objectives center on providing interest-free loans to students for tertiary education tuition fees. Despite the relevance of the Nigeria Higher Institution Loan Act of 2023 in addressing educational financial challenges, there seem to be legal and socioeconomic challenges generated by the said law. It is in this regard that this study adopts a hybrid method of study in examining the legal and socioeconomic issues inherent in the Nigeria Higher Institution Loan Act. Concerning this, 303 questionnaires were sent to respondents residing in Nigeria. A descriptive and analytical method was adopted in analyzing the result. The study found that the Act focused on ensuring loans reach those with genuine financial needs, but inadvertently excluded certain groups, raising questions of fairness. The requirement of guarantors, each meeting specific qualifications, adds another legal dimension to the Act and raises socioeconomic issues surrounding the accessibility of suitable guarantors. Furthermore, the Act underscores the importance of responsible loan management but also highlights the potential harshness of penalties, especially for economically disadvantaged borrowers. It was therefore concluded and recommended that the Higher Institution Loan Act of Nigeria brings together legal and socioeconomic elements, striving to provide financial accessibility to higher education while maintaining accountability. Evaluating and addressing these complex legal and socioeconomic issues is vital to ensure the Act fulfills its intended purpose of promoting equitable access to education for all Nigerians.

## 1. Introduction

Access to higher education is a fundamental right and a catalyst for socioeconomic progress in any society.<sup>1</sup> In Nigeria, the pursuit of higher education has been a long-standing aspiration for countless individuals seeking to enhance their prospects.<sup>2</sup> However, the financial challenges associated with accessing higher education have remained a persistent concern. The Higher Institution Loan Act of Nigeria represents a significant legal framework designed to address these financial barriers and promote equitable access to higher education.<sup>3</sup>

The Higher Institution Loan Act is a legal instrument that aims to facilitate the provision of interest-free loans to Nigerian students pursuing higher education. At its core, the Act embodies a dual purpose: to legally frame the mechanisms for providing financial assistance to students and to address the broader socioeconomic issues surrounding education access.<sup>4</sup> It seeks to strike a delicate balance between the legal foundations that underpin the loan system and the socioeconomic imperatives of fostering educational equality.<sup>5</sup>

This Act introduces several legal facets, including eligibility criteria, the application process, and provisions for loan repayment and potential disqualification.<sup>6</sup> These legal aspects are intertwined with the overarching socioeconomic objective of making higher education financially accessible to students across the economic spectrum.<sup>7</sup> However, in the pursuit of this noble goal, various complexities and challenges arise. For example, inadvertently exclude certain groups (such as the private institution and student studying outside the shore of Nigeria), raising questions of fairness.<sup>8</sup> Also, the Act place a stringent requirement of guarantors, each meeting specific qualifications, further pose legal and socioeconomic issues in the accessibility of suitable guarantors.<sup>9</sup> Furthermore, the Act also highlights the potential harshness of penalties, especially for economically disadvantaged borrowers.<sup>10</sup>

Concerning the above, it suffices to state that the Act's legal mechanisms must harmonize with the socioeconomic realities on the ground, ensuring that while it

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<sup>1</sup> Abba Tukur and Lamido G. A. Adamu, "Use of Internet Services and Resources by Academics in Adamawa State, Nigeria," *Information Impact: Journal of Information and Knowledge Management* 8, no. 3 (2017): 1–15, <https://doi.org/10.4314/ijikm.v8i3.1>.

<sup>2</sup> Justina Ngozi Ekere et al., "Utilization of Modern Technologies for Service Delivery in Special Libraries in South-East Nigeria," *Information Impact: Journal of Information and Knowledge Management* 10, no. 2 (2019): 139–52, <https://doi.org/10.4314/ijikm.v10i2.10>.

<sup>3</sup> Ewemade Iyamu and Augustina Ndidi Chiedu, "Influence of Modern Technology on the Teaching and Learning of Business Education Courses in Universities in Edo and Delta States," *KIU Journal of Humanities* 5, no. 2 (2020): 397–403.

<sup>4</sup> Ibiwumi Abiodun Alade, "Curriculum Implementation Status and Adoption of ICT Resources in Distance Learning Programme of the Nigerian Teachers' Institute," *KIU Journal of Humanities* 5, no. 1 (2020): 325–33.

<sup>5</sup> Paul Atagamen Aidonojie, Simon Ejokeme Imoisi, and Oaihimore Idemudia Edetalehn, "A Facile Study Concerning the Prospect and Challenges of Conducting a Hybrid Method of Legal Research in Nigeria," *Euromentor Journal* 13, no. 3 (2022): 148–74.

<sup>6</sup> Aidonojie, Imoisi, and Edetalehn.

<sup>7</sup> Aidonojie, Imoisi, and Edetalehn.

<sup>8</sup> Paul Atagamen Aidonojie et al., "Supervisor and Supervisee Relationship: The Legal and Ethical Issues Concerning Academic Theft in Nigeria Tertiary Institution.," *Euromentor* 13, no. 1 (2022).

<sup>9</sup> Aidonojie et al.

<sup>10</sup> Aidonojie et al.

upholds the law, it also serves as a tool for positive socioeconomic transformation. It is in this regard, that this study delve into the legal intricacies and socioeconomic implications of the Higher Institution Loan Act of Nigeria.

## 2. Method

The researchers in this study adopted the use of a hybrid method (doctrinal and Non-doctrinal method) of research in ascertaining reasons for tax evasion in Edo State and to what extent an automated income tax could aid in curtailing the incidence of tax evasion in Edo State. It suffices to state that the doctrinal method of study is aimed at theorizing the legal issues of income tax evasion in Edo State and examines various scholarly research concerning automated income tax. In this regard, the researchers review various legal frameworks and scholarly research (such as journal articles, textbooks, and online articles) as they relate to an income tax and an automated income tax.

Concerning, the use of a non-doctrinal method of study, it is aimed at ascertaining from the respondent if there are incidences of tax evasion, their causes and if the current legal framework can curtail incidences of tax evasion in Edo State. Furthermore, it is aimed at ascertaining the extent an automated income tax could aid in curtailing incidences of tax evasion in Edo State. In this regard, questionnaires were distributed to various respondents residing in the three senatorial districts of Edo State.

## 3. Analysis or Discussion

### 3.1. Conceptual Issues and Challenges of Payment of Students Tuition Fees in Nigeria

The payment of tuition fees in Nigeria has long been a subject of concern, debate, and challenge. This critical issue revolves around the financial burden placed on students and their families, the accessibility of higher education, and the broader socioeconomic implications for the nation. One of the primary conceptual issues is the question of equity and fairness.<sup>11</sup> The Nigerian education system is characterized by a diverse range of institutions, from public universities and polytechnics to private colleges. Students' ability to pay tuition fees varies significantly based on the type of institution and its location.<sup>12</sup> This creates a scenario where students from disadvantaged backgrounds may face obstacles in accessing quality education, impacting their future prospects.<sup>13</sup>

Another critical challenge is the ever-increasing cost of tuition. Nigerian universities have faced funding challenges, leading to fee increments as institutions attempt to bridge financial gaps.<sup>14</sup> This escalation places considerable strain on

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<sup>11</sup> Marcus L. Isebe, Efe F. Ejedafiru, and Urhibo Emo-Okpidi, "Information Needs of Law Students in Delta State University, Abraka, Nigeria," *Information Impact: Journal of Information and Knowledge Management* 8, no. 3 (2017): 73–82.

<sup>12</sup> Isebe, Ejedafiru, and Emo-Okpidi.

<sup>13</sup> Paul Atagamen Aidonjio and Odojor Oyenmwosa Anne, "Impact and Relevance of Modern Technological Legal Educational Facilities amidst the Covid-19 Pandemic: A Case Study of Law Students of Edo University Iyamho," *KIU Journal of Humanities* 5, no. 4 (2021): 7–19.

<sup>14</sup> Michael Olayinka Irewole, "An Evaluation of Students' Effective (ESL) Acquisition through ICT in Nigeria," *KIU Journal of Humanities* 4, no. 1 (2019): 99–104.

students and their families, often pushing higher education further out of reach.<sup>15</sup> The gap between the rising cost of tuition and the economic realities of most Nigerian families is a growing concern. The role of government in subsidizing education also presents a conceptual challenge.<sup>16</sup> While there is a belief in the importance of government funding for education, the adequacy and efficiency of such funding is a point of contention. Governments must grapple with budgetary constraints, and as a result, the allocation to education may not meet the growing demands of an expanding student population.

In addition to the complexities mentioned earlier, corruption and mismanagement within the education sector constitute pervasive and multifaceted challenges that hinder the effective utilization of allocated resources and the overall improvement of educational outcomes. The detrimental consequences of corruption and mismanagement reverberate throughout the sector, affecting students, educators, and the educational infrastructure as a whole. The misappropriation of resources earmarked for education stands out as a critical impediment.<sup>17</sup> Despite governments and institutions allocating substantial funds to enhance educational facilities, such resources often fall victim to corruption, diverting them away from their intended purpose. Embezzlement, kickbacks, and fraudulent practices divert crucial funds away from initiatives aimed at improving infrastructure, updating educational materials, and enhancing the overall quality of education.<sup>18</sup> This misallocation of resources not only undermines the potential for positive change but also perpetuates a cycle of inadequate facilities, outdated learning materials, and subpar educational environments. Addressing corruption in the education sector is paramount for ensuring that investments translate into tangible benefits for students and contribute to the sector's overall development.

Furthermore, the absence of transparency and accountability exacerbates the challenges associated with resource mismanagement. In many instances, financial matters related to tuition fees and other educational expenses lack the necessary transparency, making it difficult to trace the flow of funds and evaluate whether they are being utilized efficiently. The lack of accountability mechanisms enables corrupt practices to persist unchecked. Educational institutions, administrators, and policymakers must establish robust systems for financial oversight and reporting. Transparent mechanisms for tracking fund utilization, conducting regular audits, and disclosing financial information to stakeholders can serve as powerful tools for deterring corruption and ensuring that resources are utilized judiciously.<sup>19</sup>

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<sup>15</sup> Taphros Madondo, Nevermore Sithole, and Collence Chisita, "Use of Electronic Information Resources by Undergraduate Students in the Faculty of Management and Administration at Africa University, Mutare, Zimbabwe," *Asian Research Journal of Arts & Social Sciences* 2, no. 2 (2017): 1–12.

<sup>16</sup> Hawwau A. Moruf and Lateef A. Adeleke, "Electronic Information Resources and the Legal Profession: The Case of Oyo State High Courts, Nigeria," *Information Impact: Journal of Information and Knowledge Management* 9, no. 1 (2018): 26–34.

<sup>17</sup> Paul Atagamen Aidonojie et al., "The Challenges and Impact of Technological Advancement to the Legal Profession in Nigeria given the Covid-19 Pandemic," *KIU Journal of Humanities* 6, no. 4 (2022): 5–19.

<sup>18</sup> Aidonojie et al.

<sup>19</sup> Tope Osisanwo, Maria Ehioghae, and Taofeek Abdulsalaam, "Computer Anxiety as Correlate of Use of Information Technology Tools among Undergraduates of Library and Information Science in Tai Solarin University of Education, Ijagun, Ogun State," *Information Impact: Journal of Information and Knowledge Management* 10, no. 2 (2019): 19–38.

Also, corruption and mismanagement not only compromise the quantity of resources available for education but also diminish the quality of educational services. When funds are siphoned off through corrupt practices, schools and universities struggle to maintain adequate learning environments, update curriculum materials, and invest in teacher training programs. This degradation in educational quality has far-reaching consequences, affecting the learning outcomes of students and perpetuating educational inequality.<sup>20</sup> Addressing corruption and mismanagement is, therefore, a fundamental step toward fostering an environment where educational institutions can thrive, providing quality education that prepares students for a rapidly evolving world. Tackling corruption and mismanagement in the education sector is integral to fostering an environment where resources are utilized efficiently, educational quality is upheld, and socioeconomic progress is attainable.<sup>21</sup> Implementing comprehensive anti-corruption measures, ensuring transparency in financial matters, and fostering a culture of accountability are pivotal steps toward transforming the education sector into a catalyst for positive change and sustainable development.

Concerning the above, it suffices to state that, the conceptual issues and challenges of paying students' tuition fees in Nigeria encompass equity, rising costs, government subsidies, and issues of corruption and mismanagement.<sup>22</sup> Addressing these challenges necessitates a comprehensive and multi-pronged approach that seeks to ensure fairness and accessibility in higher education, improve funding models, and enhance transparency and accountability in the education sector. It is imperative that Nigeria's educational policies evolve to better align with the country's vision of providing quality higher education for all, regardless of socioeconomic background.

#### a) An Examination of the Student Loan Act of Nigeria

The Nigeria Students Loan Act<sup>23</sup> is a legislative framework that governs the application and disbursement of loans for individuals pursuing higher education within Nigerian institutions of higher learning. Enacted to facilitate broader access to education, the Act establishes the Nigerian Education Bank as the designated entity responsible for implementing its provisions. However, the pivotal Section 13 of the Act outlines comprehensive objectives aimed at fostering financial support for eligible students and promoting widespread access to education for all Nigerians. However, other vital objective of the Act are briefly examine as follows.

##### i. Facilitating Interest-Free Loans

One of the primary objectives outlined in Section 13 of the Act<sup>24</sup> is the facilitation of funds mobilization to provide interest-free loans to students in higher education institutions. This strategic move aims to ease the financial burden on students by supporting the payment of tuition fees

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<sup>20</sup> Ngozi P. Osuchukwu, Adaora C. Obuezie, and Grace O. Ogwuche, "Availability and Utilization of Information Communication Technology Facilities in a Private University Library in Nigeria," *Information Impact: Journal of Information and Knowledge Management* 8, no. 3 (2017): 16–25.

<sup>21</sup> Hadiza Umar and Victoria Sokari, "Challenges Associated with Utilization of Legal Information Resources by Postgraduate Law Students in Federal Universities of Northern Nigeria," *Information Impact: Journal of Information and Knowledge Management* 11, no. 1 (2020): 40–47.

<sup>22</sup> Isebe, Ejedafiru, and Emo-Okpidi, "Information Needs of Law Students in Delta State University, Abraka, Nigeria."

<sup>23</sup> Students Loans (Access to Higher Education) Act, 2023

<sup>24</sup> Ibid

without incurring additional interest charges. This provision is crucial in promoting inclusivity and ensuring that financial constraints do not hinder educational pursuits.

ii. Ensuring Continuous Loan Supply

Another vital objective is the commitment to ensuring a continuous supply of loans to eligible student applicants. By doing so, the Act seeks to contribute to widespread access to education across Nigeria. This objective aligns with broader national goals of enhancing educational opportunities and fostering human capital development. Continuous access to loans supports the aspirations of students from diverse backgrounds, contributing to the democratization of education.

However, section 16 of the Act delineates the detailed process through which individuals can apply for loans, emphasizing transparency and accountability in the disbursement of funds. The application process involves the following key steps: As per the Act's stipulations, prospective loan applicants must initiate the process by submitting a written application through the student affairs offices of their respective higher institutions. This centralized approach ensures a standardized and organized application procedure. Higher institutions are then mandated to compile a list of qualified applicants. This list must be accompanied by cover letters signed by either the Vice Chancellors or Rectors, providing institutional endorsement and attesting to the eligibility of the applicants. This step ensures that the selection process is conducted in adherence to institutional standards. Furthermore, Applicants are required to include essential documents such as a copy of their admission letter and a letter from their guarantors. The guarantor's letter is specifically addressed to the chairman of the governing board of the bank, recommending the student and expressing a commitment to assume liability in the event of loan repayment default. These documentary requirements enhance the credibility of the application process and provide a comprehensive basis for evaluating eligibility.

The Nigeria Students Loan Act, with its clearly outlined objectives and procedural framework, signifies a concerted effort to address financial barriers to education. By providing interest-free loans and ensuring a systematic application process, the Act contributes to broader educational inclusivity. It aligns with national priorities of fostering human capital development, empowering students from diverse backgrounds, and ultimately promoting the advancement of the educational landscape in Nigeria. The Act's commitment to transparency and accountability in the loan application process reflects a proactive approach to ensuring the effective and equitable distribution of resources for educational advancement.

The eligibility criteria for individuals or students seeking a loan under the Act, as outlined in section 14, are comprehensive and designed to ensure that the financial assistance is directed towards deserving candidates who meet specific qualifications. To be eligible for the loan, an applicant must satisfy the following conditions:

- a. Gain admission to a Nigerian higher institution established by the Federal Government or any state government, with private institutions being

- excluded. This criterion ensures that the loan is directed towards students pursuing education in government-recognized institutions.
- b. Have a personal or family annual income below 500,000 Naira. This criterion establishes a financial need requirement, targeting individuals or families with limited financial resources.
  - c. Provide at least two guarantors, each meeting specific conditions:
    - i. Hold a minimum of a level 12-grade civil servant position. This ensures that guarantors have a stable and relatively high-income position.
    - ii. Possess at least 10 years of post-call experience as a lawyer at the Nigerian Bar. This requirement emphasizes the importance of legal expertise and experience.
    - iii. Serve as a judicial officer or a justice of the peace. This criterion underscores the significance of the guarantor's role in the legal or justice system.

The Act also addresses the repayment terms in section 18, stipulating that student loan repayments commence two years after the completion of the beneficiary's national youth service term. Repayments are automatically deducted at the source, with 10% of the beneficiary's salary remitted to the fund. This provision aims to facilitate a systematic and fair repayment process, aligning with the beneficiary's post-graduation employment. However, it is crucial to be aware of the disqualification grounds outlined in section 15, which include:

- i. Instances where the applicant has defaulted on a loan from any organization.
- ii. Conviction of exam malpractice by a school authority, emphasizing the importance of academic integrity.
- iii. A conviction for a felony or any offense involving dishonesty or fraud highlights the significance of a clean legal record.
- iv. Conviction for drug-related offenses reflects the commitment to maintaining a safe and responsible student body.
- v. The discovery that one of the applicant's parents is a defaulter in relation to previously granted loans, signals a potential financial risk.

Concerning the above, the Act's eligibility criteria and repayment terms are structured to support deserving students while implementing safeguards to ensure responsible and accountable use of the provided financial assistance. The disqualification grounds further underscore the importance of integrity, financial responsibility, and adherence to legal and academic standards.

Section 18(6) of the Act plays a pivotal role in upholding the integrity of the Nigeria Students Loan program by imposing significant penalties for violations, particularly in cases of loan repayment default. This provision stands as a deterrent, emphasizing the gravity of non-compliance and reinforcing the commitment to the responsible management of student loans. Offenders found guilty of such violations may be subject to severe consequences, including imprisonment for a period of up to two years and/or a fine amounting to 500,000 Naira. This punitive measure serves as a clear message that adherence to the terms and conditions outlined in the Act is not merely a recommendation but a legal obligation. By attaching both imprisonment and a substantial monetary penalty to loan repayment defaults, the Act aims to instill

a sense of responsibility among borrowers, underscoring the reciprocal nature of the agreement between the loan program and its beneficiaries.

Moreover, the Act's emphasis on responsible loan management is evident in its detailed provisions covering eligibility criteria, application processes, and loan terms. By delineating these aspects comprehensively, the legislation aims to prevent misuse of the loan facility and promote its responsible utilization. The eligibility criteria act as a filter, directing financial assistance to those who genuinely require it, while the application processes are designed to be transparent and accessible. In essence, the Nigeria Students Loan Act is not merely a document outlining financial provisions but a comprehensive framework that reflects the nation's commitment to education, fairness, and responsible financial practices. It aspires to create an environment where students can pursue their academic goals unencumbered by financial barriers, while simultaneously ensuring that the loan program remains a sustainable and ethically managed initiative.

#### b) Legal and Socioeconomic Issues concerning the Nigeria students Loan Act

The Nigeria Students Loan Act is a significant piece of legislation that addresses both legal and socioeconomic aspects of providing financial support to Nigerian individuals pursuing higher education. However, despite the relevance of the Act, it suffices to state that there are legal and socioeconomic issues associated with the Act, they are briefly examine as follows.

- i. **Loan Application and Eligibility Criteria:** The Act clearly outlines the process for loan applications, including the requirement for individuals to submit written applications through the student affairs offices of their respective higher institutions. This procedure aims to ensure a standardized and formal application process. Furthermore, the eligibility criteria, which include gaining admission to specific types of institutions, income limits, and guarantor requirements, help establish clear boundaries for who may access the loans. However, these criteria may also raise questions of potential discrimination, as they exclude students of private institutions and impose specific income limits and professional qualifications on guarantors.
- ii. **Penalties and Disqualification:** Section 18(6) of the Act prescribes significant penalties, including imprisonment and fines, for violations of the Act, particularly loan repayment defaults. While this can act as a deterrent against non-compliance, it also raises concerns about the potential harshness of penalties, especially for economically disadvantaged borrowers who may genuinely struggle to repay loans.
- iii. **Transparency and Accountability:** The Act emphasizes the role of higher education institutions in the application process and the compilation of qualified applicants. This establishes a level of transparency and accountability but also raises questions about the potential influence of institutional biases in the selection process, potentially disadvantaging some students.
- iv. **Financial Access to Education:** The Act's objective to offer interest-free loans to students underscores the commitment to making higher education financially accessible. This is a crucial socioeconomic issue as it addresses the financial barriers that often limit access to higher education in Nigeria.



However, the effectiveness of the Act in achieving this objective and ensuring widespread access requires continuous evaluation.

- v. **Income Limits:** The Act's stipulation of a personal or family annual income below 500,000 Naira as an eligibility criterion is aimed at targeting students with limited financial means. However, this condition may inadvertently exclude students who do not meet the strict income limit but still face financial difficulties in pursuing higher education.
- vi. **Guarantor Requirements:** Requiring guarantors to meet specific professional qualifications, such as being level 12-grade civil servants, lawyers with a minimum of 10 years' experience at the Nigerian Bar, or serving as judicial officers, may limit the number of eligible applicants. This socioeconomic issue relates to the accessibility of suitable guarantors, particularly in regions with limited access to these professions.
- vii. **Loan Repayment and Socioeconomic Impact:** While the Act outlines loan repayment terms, including automatic deductions from beneficiaries' salaries, the socioeconomic implications of this repayment model on graduates need consideration. Loan repayments may impact graduates' financial stability and affect their ability to contribute positively to the Nigerian economy.
- viii. **Equality and Fairness:** The Act's provisions should be assessed to ensure equality and fairness in loan distribution. It is essential to guarantee that the Act does not inadvertently perpetuate socioeconomic disparities or favor certain segments of the population while excluding others.

Concerning the above, it suffices to state that the Nigeria Students Loan Act addresses crucial legal and socioeconomic issues related to higher education financing in Nigeria. While it strives to make education more accessible, it also faces challenges related to eligibility criteria, penalties, and socioeconomic inclusivity. Continuous monitoring and potential reforms are necessary to ensure that the Act effectively serves its intended purpose and promotes equitable access to higher education while balancing legal and socioeconomic considerations.

### c) Data Presentation and Analysis

This section delves into the presentation and analysis of the data derived from the questionnaires distributed to the participants of the study. The systematic extraction of data from the respondents' questionnaire responses is outlined as follows:

- **Sample Size and Sampling Techniques**

To ensure a thorough and representative response from individuals residing in Nigeria, the study targeted a sample size of 303 respondents spanning various geopolitical zones within the country. The selection of respondents was accomplished by applying a simple random sampling method. This method was chosen due to its preference for reaching a

diverse audience.<sup>25</sup> Furthermore, simple random sampling offers several advantages.<sup>26</sup> including:

- i. This method is well-suited for selecting respondents from diverse and heterogeneous populations.
  - ii. The outcomes obtained through simple random sampling are often unbiased, fair, and impartial.
  - iii. It is a straightforward and uncomplicated technique to implement.
  - iv. Simple random sampling can be effectively employed in hybrid legal research methodologies<sup>27</sup>
- **Data Analysis**  
The results from the distributed questionnaires have undergone meticulous analysis and are presented in graphical and tabular formats. This approach enhances clarity and facilitates ease of interpretation, ensuring the findings are accessible to a wide audience.

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<sup>25</sup> Simon Ejokema Imoisi and Paul Atagamen Aidonojie, "Legal and Socio-Economic Issues Concerning Black Market Activities of Petroleum Products in Nigeria," *Yuridika* 38, no. 2 (2023): 61–84.; Paul Atagamen Aidonojie and Oaihimore Idemudia Edetalehn, "A Facile Study of the Statutory Challenges Concerning Customary Practice of Intestate Succession in Nigeria," *JHR (Jurnal Hukum Replik)* 11, no. 1 (2023): 1–11.; Paul Atagamen Aidonojie, "Environmental Hazard: The Legal Issues Concerning Environmental Justice in Nigeria," *Journal of Human Rights, Culture and Legal System* 3, no. 1 (2023): 17–32.; Paul Atagamen Aidonojie, "The Legal Impact and Relevance of Using the Concept of Plea Bargain in Resolving Tax Dispute in Nigeria," *Brawijaya Law Journal: Journal of Legal Studies* 9, no. 2 (2022).; Paul Atagamen Aidonojie, Nosa Okuonghae, and Kingsley Egogon Ukhurebor, "The Legal Rights and Challenges of COVID-19 Patients Accessing Private Healthcare in Nigeria," *Bestuur* 10 (2022): 183–97.; Paul Atagamen Aidonojie et al., "A Facile Study Concerning the Legal Issues and Challenges of Herbal Medicine in Nigeria," *The Indonesian Journal of International Clinical Legal Education* 4, no. 4 (2022).

<sup>26</sup> Paul Atagamen Aidonojie, Oluwaseye Oluwayomi Ikubanni, and Alade Adeniyi Oyebade, "Legality of EndSARS Protest: A Quest for Democracy in Nigeria," *Journal of Human Rights, Culture and Legal System* 2, no. 3 (2022): 209–24.; Paul Atagamen Aidonojie and Ong Argo Victoria, "The Societal and Legal Missing Link in Protecting a Girl Child against Abuse before and Amidst the Covid-19 Pandemic in Nigeria," *Jurnal Hukum* 38, no. 1 (2022): 61–80.; Paul Atagamen Aidonojie and Esther Chetachukwu Francis, "Legal Issues Concerning Food Poisoning in Nigeria: The Need for Judicial and Statutory Response," *Jurnal Media Hukum* 29, no. 1 (2022): 65–78.; Paul Atagamen Aidonojie et al., "The Challenges and Relevance of Technology in Administration of Justice and Human Security in Nigeria: Amidst the Covid19 Pandemic," *Cogito* 13, no. 3 (2021): 149–71.; Paul Atagamen Aidonojie, Joseph Nwazi, and Ugiomo Eruteya, "The Legality, Prospect, and Challenges of Adopting Automated Personal Income Tax by States in Nigeria: A Facile Study of Edo State.," *Cogito (2066-7094)* 14, no. 2 (2022).; Paul Atagamen Aidonojie, Oaihimore Idemudia Edetalehn, and Omohoste Patience Agbale, "The Legal and Ethical Issues Concerning Diagnosis and Treatment of Patients by Pharmacists in Nigeria," *Euromentor Journal* 13, no. 2 (2022): 102–19.

<sup>27</sup> Paul Atagamen Aidonojie, Anne Oyemwosa Odojor, and Patience Omohoste Agbale, "The Legal Impact of Plea Bargain in Settlement of High Profile Financial Criminal Cases in Nigeria," *Sriwijaya Law Review* 5, no. 2 (2021): 161–74.; Paul Atagamen Aidonojie, Oluwaseye Oluwayomi Ikubanni, and Nosakhare Okuonghae, "The Prospects, Challenges, and Legal Issues of Digital Banking in Nigeria.," *Cogito (2066-7094)* 14, no. 3 (2022).; Milicent Ekeata Idahosa, Omohoste Patience Agbale, and Paul Atagamen Aidonojie, "The Causes and Legal Implications Concerning Assault against Healthcare Providers by Patients or Their Relatives in Nigeria," *KIU Journal of Humanities* 7, no. 4 (2023): 79–88.; Toyin Afolabi Majekodunmi et al., "Legal Issues in Combating the Scourge of Terrorism; Its Impact on International Trade and Investment: Nigeria as a Case Study," *KIU Journal of Humanities* 7, no. 3 (2022): 129–39.; Majekodunmi et al.; Odetokun Olukayode Oladele et al., "An Empirical Study of Criminalizing Minor Infractions of Tax Laws in Nigeria: The Need for Negotiated Punishments," *KIU Journal of Humanities* 7, no. 2 (2022): 157–68.

## Research Question One

Which of the following Geopolitical Zones in Nigeria do you reside in?

303 responses

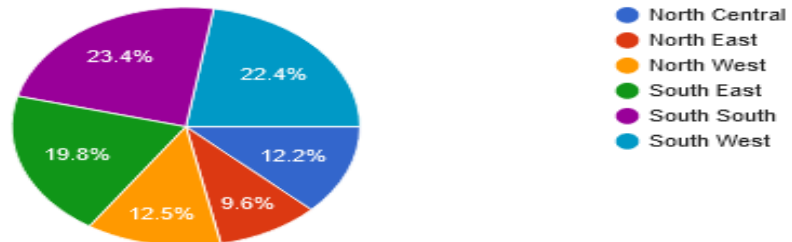


Figure 1: respondent stating their residential area of the geo-political zone in Nigeria

S/N	Geopolitical Zones in Nigeria	Responses of Respondents	Percent
1	North Central	37	12.2%
2	North East	29	9.6%
3	North West	38	12.5%
4	South East	60	19.8%
5	South South	71	23.4%
6	South West	68	22.4%
<b>TOTAL</b>		<b>303</b>	<b>100%</b>

Table 1: Valid respondent identifying their residential area of the geo-political zone in Nigeria

Figure 1 and Table 1 are identification of the various geopolitical zone in Nigeria resident by the respondents.

## Research Question Two

Are you aware of the Nigeria Higher Institution Loan Act 2023?

303 responses

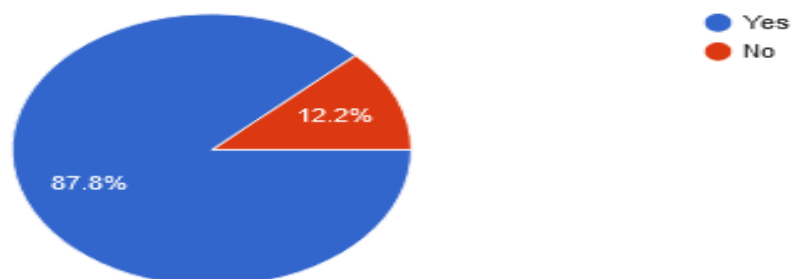


Figure 2: Respondents confirming their awareness of the Nigeria Higher Institution Loan Act

	Response	Percent
Valid Yes	266	87.8%
Valid No	37	12.2%
<b>Total</b>	<b>303</b>	<b>100%</b>

Table 2: Valid Respondents confirming their awareness of the Nigeria Higher Institution Loan Act

Figure 2 and Table 2 above are confirmation of the respondent awareness of the Higher Institution Loan Act of Nigeria.

### Research Question Three

Which of the following serves as the relevance of the Nigeria Higher Institution Loan Act? (You can select multiple options)

266 responses

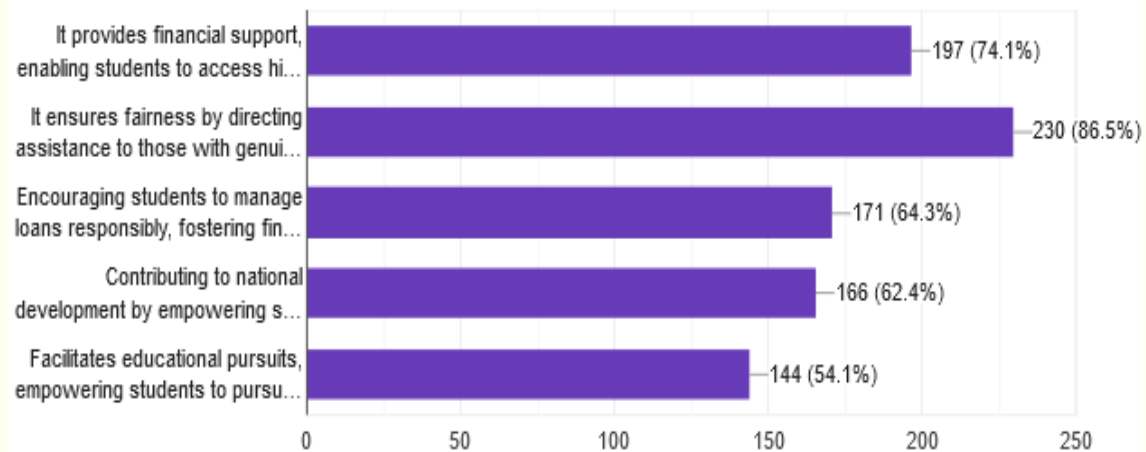


Figure 3: Identification of the Relevance of the Nigeria Higher Institution Loan Act of 2023

Relevance of the Higher Institution Loan Act	Cluster of Response	Percentage
It provides financial support, enabling students to access higher education despite economic constraints.	197	74.1%
It ensures fairness by directing assistance to those with genuine financial needs, promoting equal access.	230	86.5%
Encouraging students to manage loans responsibly, fostering financial literacy and accountability.	171	64.3%
Contributing to national development by empowering students to pursue higher education and enhance their skills.	166	62.4%
Facilitates educational pursuits, empowering students to pursue career opportunities that contribute to personal and national growth.	144	54.1%

Table 3: Valid Cluster of Identifying the Relevance of the Nigeria Higher Institution Loan Act of 2023

Figure 3 and Table 3 are clusters of respondent identification of the relevance of the Nigeria Higher Institutional Loan Act, 2023.

### Research Question Four

**Do you agree that there are legal and socioeconomic challenges regarding the Nigeria Higher Institution Loan Act?**

302 responses

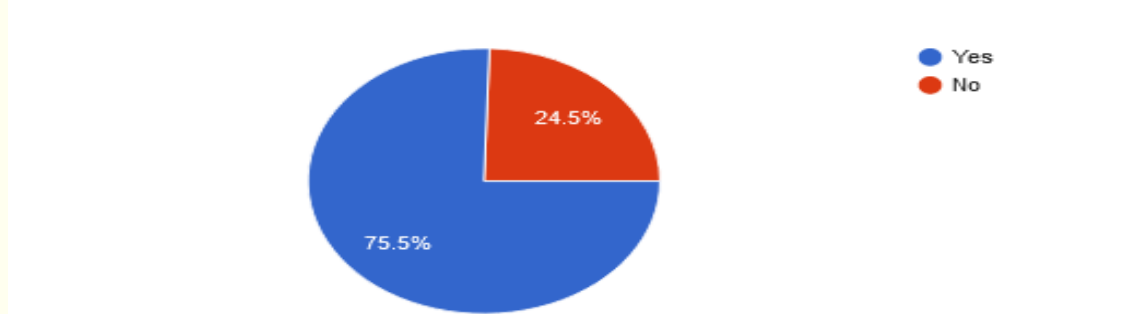


Figure 4: Respondents confirming the legal and socio-economy challenges of the Act 2023

	<b>Response</b>	<b>Percent</b>
Valid Yes	228	75.5%
Valid No	74	24.5%
<b>Total</b>	<b>302</b>	<b>100%</b>

Table 4: Valid respondents confirming the legal and socio-economy challenges of the Act 2023

Figure 4 and Table 4 are respondents valid confirmation of the legal and socio-economic issues of the Nigeria Higher Institution Loan Act.

### Research Question Five

**Which of the following serves as the legal and socioeconomic challenges concerning the Nigeria Higher Institution Loan Act? (You can select multiple options)**

228 responses

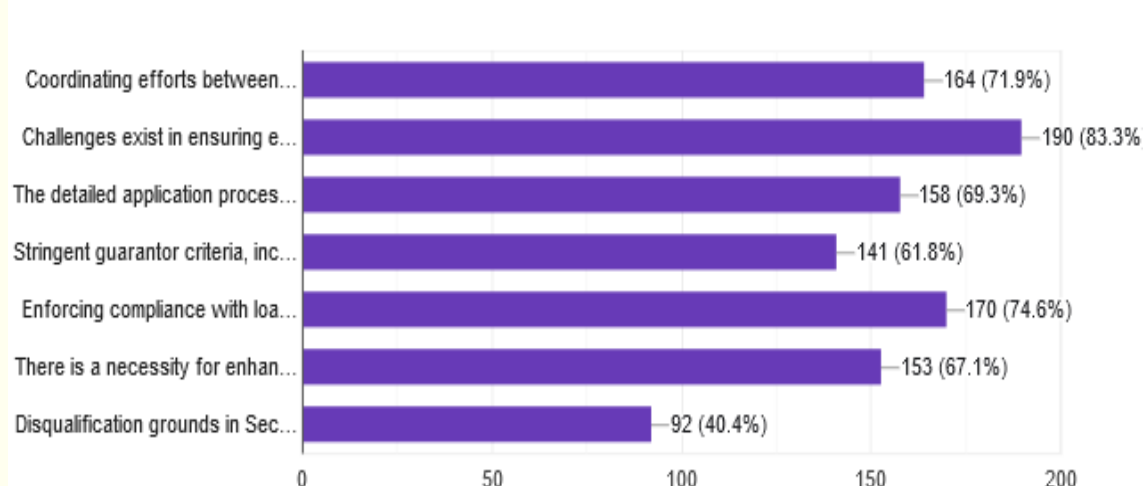


Figure 5: Identification of the legal and socio-economic challenges of Student Loan Act

<b>Legal and socio-economic challenges of the Higher Institution Loan Act</b>	<b>Cluster of Responses</b>	<b>Percentage</b>
Coordinating efforts between educational institutions and the Nigerian Education Bank poses a hurdle to implementing the Nigeria Students Loan Act effectively.	164	71.9%
Challenges exist in ensuring equitable distribution of education benefits to students from diverse socioeconomic backgrounds, contrary to the Act's objectives.	190	83.3%
The detailed application process outlined in Section 16 may complicate administration, potentially impeding efficient loan disbursement.	158	69.3%
Stringent guarantor criteria, including a minimum level 12-grade civil servant position and a decade of post-call legal experience, could restrict eligible applicants, particularly from specific socioeconomic groups.	141	61.3%
Enforcing compliance with loan repayments and tracking beneficiaries post-graduation, as per Section 18(6), may pose logistical and legal challenges.	170	74.6%
There is a necessity for enhanced financial literacy programs to educate students on responsible loan management and understand the implications of interest-free loans and automatic deductions outlined in the Act.	153	67.1%
Disqualification grounds in Section 15, such as prior loan defaults and familial financial risks, may raise concerns about privacy and fairness in eligibility assessments.	92	40.4%

Table 5: Valid cluster of identifying the legal and socio-economic challenges of Student Loan Act

Figure 5 and Table 5 are cluster respondents' identifying the legal and socio-economic challenges that may affect the essence of the enactment of Higher Institution Loan Act of 2023.

## Research Question Six

Which of the following could aid as a remedy to the legal and socio-economic challenges of the Nigeria Higher Institution Loan Act? You can select more than one option

228 responses

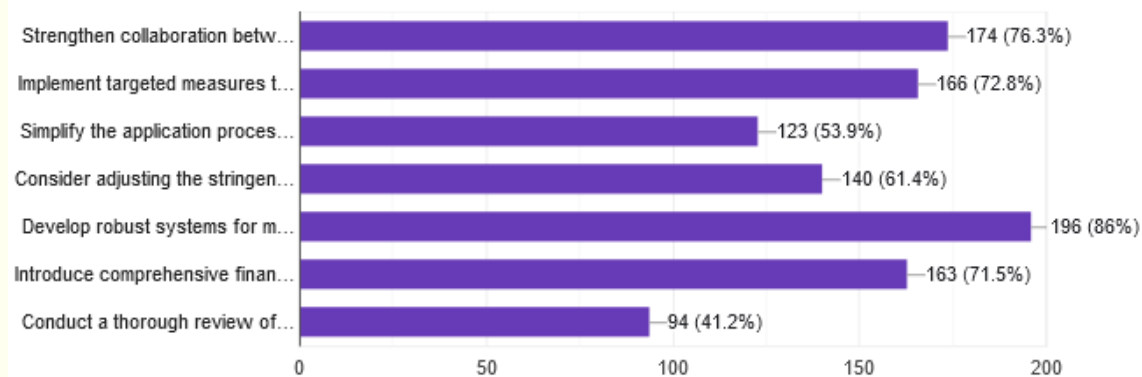


Figure 6: Remedy concerning the legal and socio-economic issues of Student Loan Act

Remedy on the Legal and socio-economic challenges of Students Loan	Cluster of Responses	Percentage
Strengthen collaboration between educational institutions and the Nigerian Education Bank to streamline the implementation of the Nigeria Students Loan Act.	174	76.3%
Implement targeted measures to ensure that education benefits under the Act reach students from diverse socioeconomic backgrounds more equitably.	166	72.8%
Simplify the application process outlined in Section 16 to reduce administrative complexities and enhance the smooth disbursement of loans.	123	53.9%
Consider adjusting the stringent criteria for guarantors to broaden the pool of eligible applicants, especially from underrepresented socioeconomic groups.	140	61.4%
Develop robust systems for monitoring and enforcing compliance with loan repayments, addressing logistical and legal challenges outlined in Section 18(6).	196	86%
Introduce comprehensive financial literacy programs to educate students on responsible loan management and increase understanding of interest-free loans and automatic deductions.	163	71.5%

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Conduct a thorough review of disqualification grounds in Section 15, addressing concerns related to privacy and fairness in eligibility assessments.	94	41.2%
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Table 6: Valid cluster of Remedy concerning the legal and socio-economic issues of Student Loan Act  
Figure 6 and Table 6 are cluster respondents' identification of possible remedy concerning the legal and socioeconomic challenges of the Nigeria Higher Institution Loan Act of 2023.

### 3.2. Discussion of Findings

Tables and Figures are presented center and cited in the manuscript. The figures should be clearly readable and at least have a resolution of 300 DPI (Dots Per Inch) for good printing quality. Table made with the open model (without the vertical lines) as shown below:

The data presentation above presents the results of a study that involved the distribution of questionnaires and subsequent data analysis on the Nigeria Higher Institution Loan Act of 2023. The findings are organized based on different research questions, and graphical representations and tables are used for clarity. Concerning this, the result obtain is hereby discuss as follows. In this regard, Figure 1 and Table 1 illustrate the distribution of respondents across various geo-political zones in Nigeria. The majority of respondents were from the South South and South West regions. Figure 2 and Table 2 confirm that a significant majority (87.8%) of respondents are aware of the Nigeria Higher Institution Loan Act. In this regard, figure 3 and table 3, this section aimed to understand the respondents' perception of the relevance of the Nigeria Higher Institution Loan Act of 2023. In this regard, the response of the respondents is as follows:

- i. 74.1% of respondents believe the Act provides financial support, enabling students to access higher education despite economic constraints.
- ii. 86.5% think the Act ensures fairness by directing assistance to those with genuine financial needs.
- iii. 64.3% see the Act encouraging students to manage loans responsibly, fostering financial literacy and accountability.
- iv. 62.4% believe the Act contributes to national development by empowering students to pursue higher education and enhance their skills.
- v. 54.1% see the Act facilitating educational pursuits, empowering students to pursue career opportunities that contribute to personal and national growth.

These findings indicate a generally positive perception of the Act. The majority recognizes its role in addressing financial constraints, promoting fairness, and contributing to national development. The emphasis on financial literacy highlights an understanding of the Act's potential impact beyond immediate financial support. In Figure 4 and Table 4 indicate that 75.5% of respondents confirmed the existence of legal and socio-economic challenges related to the Nigeria Higher Institution Loan Act. However, Figure 5 and table 5 aimed to identify the legal and socio-economic



challenges associated with the Nigeria Higher Institution Loan Act of 2023. In this regard, the response of the respondents is as follows:

- i. 71.9% find challenges in coordinating efforts between educational institutions and the Nigerian Education Bank, hindering effective implementation.
- ii. 83.3% see challenges in ensuring equitable distribution of education benefits to students from diverse socioeconomic backgrounds.
- iii. 69.3% note potential complications in the detailed application process outlined in Section 16.
- iv. 61.3% express concerns about stringent guarantor criteria, potentially restricting eligible applicants.
- v. 74.6% see challenges in enforcing compliance with loan repayments and tracking beneficiaries post-graduation.
- vi. 67.1% believe enhanced financial literacy programs are necessary.

These findings highlight various challenges, including administrative complexities, issues of equity, and potential hurdles in enforcing compliance. The emphasis on financial literacy programs suggests a recognition of the importance of education and awareness in overcoming these challenges.

Furthermore, Figure 6 and table 6 presents clusters of responses regarding proposed remedies for the legal and socio-economic challenges identified in the Nigeria Higher Institution Loan Act. The response of the respondents is as follows; the majority of respondents (76.3%) advocate for strengthening collaboration between educational institutions and the Nigerian Education Bank to streamline the implementation of the Nigeria Students Loan Act. This suggests a consensus on the importance of improved coordination for effective policy execution. A substantial percentage (72.8%) supports the implementation of targeted measures to ensure that education benefits under the Act reach students from diverse socioeconomic backgrounds more equitably. This indicates a recognition of the need for targeted interventions to address disparities in benefit distribution. Over half of the respondents (53.9%) believe that simplifying the application process outlined in Section 16 would contribute to reducing administrative complexities and enhance the smooth disbursement of loans.

This suggests a practical approach to improve the accessibility of the loan application process. A significant percentage (61.4%) suggests adjusting the stringent criteria for guarantors to broaden the pool of eligible applicants, especially from underrepresented socioeconomic groups. This reflects a concern for inclusivity in the application process. The vast majority of respondents (86%) advocate for developing robust systems for monitoring and enforcing compliance with loan repayments, addressing logistical and legal challenges outlined in Section 18(6). This underscores the importance of effective monitoring for the successful implementation of the Act. A considerable percentage (71.5%) supports the introduction of comprehensive financial literacy programs to educate students on responsible loan management and increase understanding of interest-free loans and automatic deductions.

This indicates a recognition of the role of financial education in promoting responsible borrowing and repayment. While a lower percentage (41.2%) suggests

conducting a thorough review of disqualification grounds in Section 15, addressing concerns related to privacy and fairness in eligibility assessments. This highlights a concern for ensuring fairness and privacy in the eligibility criteria. In this regard, Figure 6 and Table 6 provide valuable insights into the preferences of respondents regarding potential remedies for the legal and socio-economic challenges associated with the Nigeria Higher Institution Loan Act. The percentages offer a quantitative understanding of the level of support for each proposed remedy.

The study provides a comprehensive overview of respondent perspectives on the Nigeria Higher Institution Loan Act, offering insights into awareness, relevance, challenges, and potential remedies.

#### **4. Conclusion**

Concerning the above, the exploration of legal and socioeconomic issues surrounding the Nigeria Higher Institution Loan Act 2023 reveals a nuanced landscape that intertwines the realms of education, law, and economic well-being. The Act, with its intricate provisions, seeks to strike a delicate balance between fostering increased accessibility to higher education and ensuring responsible financial management. The eligibility criteria, application processes, and loan terms underscore the Act's commitment to equitable access to education, directing financial assistance to those in genuine need. Simultaneously, the stringent penalties outlined in Section 18(6) underscore the gravity of maintaining integrity within the loan program, emphasizing the reciprocal obligation of borrowers to honor their commitment to loan repayment.

Recommendations for the effective implementation and enhancement of the Nigeria Higher Institution Loan Act 2023 are paramount. Firstly, there is a need for continuous monitoring and evaluation mechanisms to assess the Act's impact on students' access to education and the socioeconomic landscape. Regular reviews can identify potential gaps, ensuring that the Act remains adaptive to the evolving needs of the educational sector. Secondly, efforts should be directed towards comprehensive public awareness campaigns to inform potential beneficiaries about the Act's provisions, eligibility criteria, and the consequences of non-compliance. This proactive approach can contribute to a higher level of transparency and understanding among the student community, fostering responsible borrowing practices. Moreover, collaboration between government agencies, educational institutions, and legal bodies is essential to streamline the implementation process, address challenges promptly, and ensure a seamless integration of the Act within the existing legal framework. In the long term, considerations for periodic amendments to the Act should be explored, incorporating feedback from stakeholders to enhance its effectiveness and relevance. This adaptive approach can help the legislation keep pace with evolving socioeconomic dynamics and emerging challenges in the higher education landscape.

In essence, the Nigeria Higher Institution Loan Act 2023 represents a commendable effort to bridge educational and economic disparities. By implementing the suggested recommendations, the Act can not only fulfill its intended purpose of providing financial assistance to students but can also become a dynamic instrument for promoting inclusive education and socioeconomic development in Nigeria.

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