

STATEMENT FOR THE FLOOR OF PARLIAMENT

REGULATION OF PUBLIC UNIVERSITIES CHARGES ON PENALTIES FOR LATE PAYMENT OF SCHOOL FEES

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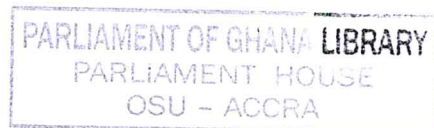
MEMBER OF PARLIAMENT FOR ABLEKUMA SOUTH

Mr. Speaker, I would like to start my submission with the views of Adinyira (Mrs.) Justice of the Supreme Court in the unreported case of *Federation of Youth Association of Ghana (FEDYAG) v. Public Universities of Ghana & Ors*, Writ No. J1/5/200927/07/ 2010 in which she supported the common saying that 'education is the key to development.' She further said that 'education is the key to breaking the cycle of poverty.' From these statements Mr. Speaker, there is the need to regularize all activities which stands as impediment to realizing education in Ghana by not using education as a tool to contribute to or deepen the poverty cycle of Ghanaians.

Mr. Speaker I call on the attention on this Honorable House on an emerging trend which is gradually creeping into the educational system and which needs immediate legislative attention. Mr. Speaker, it is the levying of uneven penalty charges on low economic people (poor but brilliant students) who are unable to pay their school fees within specific periods before a semester ends at the various public or tertiary institutions. Mr. Speaker, this unsupportive behavior is not only in breach of constitutional underpinning of making education affordable to all, but it sins also against the various Acts which establish these various public tertiary institutions and their various statutes.

Mr. Speaker by the lack of regulation of this practice, it is implied by perpetrators of this act as sanctioned penalty charges. Mr. Speaker, in this statement for consideration, I have encountered bad ordeals meted out to students, such as withholding their semester results, preventing them from attending lectures, writing quizzes, some are even made to defer their programme without their concurrence. Mr. Speaker, some students are even subjected to humiliations and inhumane and degrading comments from school authorities.

Mr. Speaker, it is prudent to suggest that the various universities must fully realise the value for money overtime especially where the cedi's strength to other currency is predictably unstable, there is equally the saying that 'all things are lawful, but not all expedient.' Mr. Speaker, Honourable Members, it will be agreed that not all cultures, policies and practices outside the jurisdiction of Ghana are legitimate to be imported wholly into our educational system. That is to say that, in business and commercial trade it is always wise to charge



penalties for late payments under a contract but Mr. Speaker if this commercial trade argument is transferred to our educational system it will be detrimental and suicidal for the poor in seeking affordable education.

Mr. Speaker, I agree with Her Ladyship, Adinyira (Mrs.) JSC for her remarks from the case stated. She recounted that:

“Barely four decades ago, university education was virtually free, in terms of tuition fees, boarding and lodging, and there were well equipped libraries and laboratories and adequate lecture halls and enough lecturers. The failure of government allocations in the face of economic decline and structural economic adjustment programs has led to reduction in support for public universities. Increasing student enrolment without the corresponding expansion in facilities has created huge complex problems that called for an improvement in resources and administration which will greatly improve university education and as a matter of course enhance development efforts.”

Mr. Speaker, Even though loudable, since 1992, all governments have not been able to realise free education under article 25 for our children. It is for this reason that there is the need to regulate the payment of charges for late school fees and where possible low economic people (poor but brilliant students) must not suffer for successive governments' inability to provide the ends of education. On my part, I submit for a careful view that the citizen must not suffer for a thing caused by various governments to any measure of detriment. I would suggest if possible such practices must be abrogated from our educational system. Mr. Speaker, taken the pain in reviewing the various statutes for the public tertiary institutions, I have not come across any single regulation that warrants the levying of these charges perpetuated at the faculty levels of our tertiary institution.

In addition, Mr. Speaker, even though the public universities are obliged under the statutes establishing them to augment their financial resources such as charging approved school fees, the payment of these charges for late payment of school fees levied on students is without the blessing of sector the minister, or the various university councils. They are done on the blind side of the law. These penalties are very destructive to some of our children. While some universities charge students with five hundred (500) to one thousand cedis for late payment of school fees, other universities charge fifty (50.00) cedis. Mr. Speaker, these charges are meant just for a semester late payments of school fees.



Mr. Speaker another serious ground worth noting for the abrogation or regulation of this charges at the various universities' is the inadequate funding from government and the inability to fully realise the aim of the Ghana Education Trust Fund (The GET Fund) 2000 (ACT 581). Mr. Speaker, this is an Act established to fund or assist nation-wide financing of education; to provide for the management of the fund and to provide for related matters. For instance to provide supplementary funding to the Scholarship Secretariat for the grant of scholarships to gifted but needy students for studies in secondcycle and accredited tertiary institutions in the country. Mr. Speaker, on a balance of hardship this inability should not be visited on the vulnerable students.

Mr. Speaker, to conclude, the practice where some universities are charging poor but brilliant students for late payment of school fees if not well regulated will crystallizes into a measure beyond not just depriving the poor the full realization of affordable education but will promote and deepen the poverty cycle in the country.

I thank you Mr. Speaker for this opportunity.