SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Tuesday 20th September, 2011

1. **Prayers**
2. **Approval of the Votes and Proceedings**
3. **Oaths**
4. **Announcements (if any)**
5. **Petitions**

PRESENTATION OF BILLS

1. **The Prisons Act Cap P 29 2004 (Repeal and Re-enactment) Bill 2011(SB. 42)** – *First Reading*
   Senator Victor Ndoma-Egba *OFR, SAN, (Cross River Central)*

2. **Criminal Justice (Victim's Remedies) Bill 2011 (SB. 44)** – *First Reading*
   Senator Victor Ndoma-Egba *OFR, SAN, (Cross River Central)*

3. **Rock Blasting Regulation Bill 2011 (SB. 37)** – *First Reading*
   Senator Chris Anyanwu *(Imo East)*

4. **Restrictive Trade Practices, Monopolies and Price Control Bill 2011 (SB. 38)** – *First Reading*
   Senator Hope Uzodinma *(Imo West)*

ORDERS OF THE DAY

1. **Confirmation of nomination**:
   Senator Victor Ndoma-Egba *OFR, SAN, (Senate Leader)*:
   "That the **SENATE** do **CONSIDER** the **REQUEST** of **MR. PRESIDENT, C-IN-C,** for the **CONFIRMATION** of the **NOMINATION** of **HON. BARR. FRANK ACHINIKE OWHOR *(Rivers State)*** as a **MEMBER** of the **REVENUE MOBILIZATION, ALLOCATION AND FISCAL COMMISSION"** in accordance with Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria".

MOTIONS

1. Demise of Senator Dr. Fredick Ayo Aghogho Brume:
   Sen. Pius A. Ewherido *(Delta Central)*
   Co-sponsors:
   Sen. James Manager
   Sen. Ifeanyi Okowa
   Sen. Gbenga Ashafa

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THE SENATE,
Notes with heavy heart and a deep sense of loss the demise of Senator Dr. Frederick Ayo Aghogho Brume, a former Senator of the Federal Republic on Monday the 12th of September, 2011 at the age of 68;

Notes that Senator Fred Brume was an extra-ordinarily intelligent man coming out with an "A" from C.M.S. School Egini in the First School Leaving Certificate, a Division 1 from Government College, Ughelli, a First Class Honours degree in Chemical Engineering from the University of Maine and a Master's degree from the renowned Massachusetts Institute of Technology in 1967 on scholarship;

He started work in 1967 as an International Civil Servant and was the first Nigerian professional staff to join the World Bank service and later became Senior Investment Executive with the Nigerian Industrial Development Bank (NIDB). He was head, Projects Promotion Department, NIDB, Lagos from 1973 to 1975 . He was the pioneer General Manager/Chief Executive of the Delta Steel Company, Ovwian - Aladja, Delta State,(1980-1984). He was elected a Senator of the Federal Republic of Nigeria to represent Delta Central Senatorial District in 1999 to 2003. He was Chairman Senate Committee on Niger Delta, 1999-2001, Vice Chairman, Senate Committee on Local and Foreign Debts, Feb 2001-Nov 2001, Founding Chairman, Senate Committee on Steel and Metallurgy, 2001 to 2002 and Vice Chairman Senate Committee on Independent National Electoral Commission (INEC), 2002 to 2003. He was a member of several professional bodies including the fellowship of Nigerian Society of Engineers and Nigerian Society of Chemical Engineers e.t.c;

Notes further: that Senator Fred Brume was an articulate, resourceful nationalist. He was an avowed industrialist .He was a successful arrowhead for the promotion and realization of many industrial projects across Nigeria, ranging from Cement Companies in Ashaka, Gombe,(Ashaka Cement Company in Yandev/Gboko now Benue Cement Company) the expansion of West African Portland Cement Company to Ikorodu (now Cement la Farge), Calabar Cement Company Expansion in Calabar, the promotion of the first polyester textile mill in Nigeria(NICHEMTEX) in Ikorodu. The Nigerian Romanian Wood Industry (NIROWI) in Ondo and the promotion of the three pulp and paper mills in Iwopin, Ondo State,Oku-lokun in Cross Rivers State and Jebba in present Kwara State etc;

OBSERVES That his passion and love for industrialization in Nigeria was a driving force for all his actions till he died. He was present and made a sound presentation at the just concluded public hearing of the Senate Ad hoc committee on BPE on the 8th of August this year;

AWARE that his death is a monumental loss not only to Delta State and the Urhobo Nation, but to the Nigerian Industrial clime and the entire corporate Nigeria as a whole.

Accordingly resolves to:

i. *OBSERVE* a minute silence in honour of late Senator Fredrick Ayo Aghogho Brume FSNE;

ii. *SEND* a delegation of this Distinguished Senate to condole with his family, the people and Government of Delta State

iii. *Send* a delegation to the funeral ceremony of the late Senator Fredrick Ayo Aghogho Brume;

2. **Prevalence of Wrong Medical Diagnosis in Nigerian Hospitals**
Sen. Yusuf Datti Baba-Ahmed ***(Kaduna North)***

Co-Sponsors:
Sen. Prof. Sola Adeyeye **Sen. Ahmed Lawan** **Sen. Zainab Kure**
Sen. Ehigie E. Uzamere **Sen. Chris Ngige**

THE SENATE,
AWARE of serial and sustained reports/cases of patients being treated for ailments, illnesses, diseases and medical conditions different from their true clinical situations;

WORRIED that as consequences many patients may have died, and others may have suffered immeasurably;

CONCERNED that the trend, if not arrested, may claim more lives and cause greater suffering; and

WORRIED about the large number of Nigerians travelling abroad to seek standard medical attention informed by correct diagnosis.

Accordingly resolves to:

i. ***URGE*** the Federal Government of Nigeria, to through its relevant Agencies and Councils, henceforth apply appropriate sanctions on all cases of wrong medical diagnosis, and to indeed constitute a task force for the purpose;

ii. ***URGE*** the responsible Agencies to call on all victims, past, present, and future not to remain in silence about their ordeals, but to report their cases to the appropriate medical authorities;

iii. ***URGE*** the Federal Government of Nigeria to encourage and promote public and private investment in medical diagnostic and allied equipment; and

iv. ***ENCOURAGE*** the return of Nigerian Medical Professionals in Diaspora, for the purpose of applying their expertise and resources in developing the Nigerian medical system.

CONSIDERATION OF A BILL

1. A **BILL** for an Act to **AMEND** the Court of Appeal Act 2005 to **Increase the Number of Justices** of the Court of Appeal from 70 to 90 and for Related Matters 2011 (SB. 32) – *Second Reading*
Senator Victor Ndoma-Egba *OFR, SAN, (Cross River Central)*

COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Police Affairs	Tuesday, 20th September, 2011	2.00 pm	Committee Room 313 Senate New Building
2.	Federal Character and Inter Governmental Affairs	Tuesday, 20th September, 2011	2.00 pm	Committee Room 304 Senate New Building
3.	Information and Media	Tuesday, 20th September, 2011	2.00 pm	Committee Room 312 Senate New Building
4.	Senate Services	Tuesday, 20th September, 2011 ***(Inauguration)***	2.00 pm	Hearing Room 1 White House
5.	Education	Wednesday, 21st September, 2011	2.00 pm	Committee Room 304 Senate New Building

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA NOTICE PAPER

Tuesday 20th September, 2011

Wednesday 21st, September, 2011

1. Scourge of Human Trafficking in Nigeria:
Sen. Dahiru Awaisu Kuta *(Niger East)*

Co-sponsors:
Sen. Zainab Kure(Niger South) Sen. Suleiman Adokwe(Nasarawa South) Sen. Bagudu Atiku(Kebbi Central)
Sen. Eze Ayogu (Enugu North) Sen. James Manager(Delta South)) Sen. Sahabi Ya'u (Zamfara North)
Sen. Nurudeem A. Usman(Kogi West) Sen. Sha'aba Lafiaji (Kwara North) Sen. Barnabas Gemade(Benue N/East)
Sen. Bukola Saraki (Kwara Central) Sen. Joshua Dariye(Plateau Central) Sen. Anthony Adeniye(Ekiti South)
Sen. Olubunmi Adetunbi(Ekiti North) Sen. Olusola Adeyeye(Osun Central Sen.Ayoade A. Adeseun(Oyo Central)
Sen. Pius Ewherido(Delta Central) Sen. Chris Ngige(Anambra Central) Sen. Robert Boroffice(Ondo North)
Sen. Odion Ugbesia (Edo Central) Sen. Baba D. Ahmed(Kaduna North) Sen. Abdu U. Yandoma (Katsina North)
Sen. Adamu I. Gumba(Bauchi South) Sen. Babayo G. Gamawa(Bauchi North) Sen. Clever M. Ikisikpo(Bayelsa East)
Sen. Emmanuel Bwacha(Taraba South) Sen. Alkali S. Ahmed(Gombe North) Sen. Danladi A. Sankara(Jigawa N/West
Sen. Ibrahim A. Gobir(Sokoto East) Sen. Alkali A. Jajere(Yobe South) Sen. Abdulmumin Hassan(Jigawa S/West)
Sen. Hassan B.Ahmed (Adamawa South) Sen. Mohammed J. Bindowo(Adamawa North)

THE SENATE,
NOTES that Nigeria has taken deliberate collaborative measures to fight the menace of human trafficking in Nigeria and beyond by becoming a signatory to the Transnational Organized Crime Convention (TOC) and its trafficking in Persons Protocol on the 13th of December, 2000 and the establishment of the National Agency for Prohibition of Trafficking in persons and Other Related Matters (NAPTIP) in 2003 in fulfillment of her International Obligation thereof;

NOTES also that the performance of NAPTIP in arresting the ignoble human trade from its inception can be said to be commendable vis a vis its funding;

OBSERVES however, that human trafficking has been on the increase and has been identified as the World's fastest growing Criminal Industry, Second only to drug trafficking and fraud. In 2006, the global human trade was estimated to have stood at between $5 - $9 billion with the International Labour Organization recently estimating that about 246 million children of ages ranging between 5-17 have been exploited worldwide;

OBSERVES also that the mode of operation of the human trafficking cartel entails deception, forgery, bribery, Juju and other despicable acts of illegalities in carrying out the recruitment, transportation, smuggling, transfer, incarceration, harboring or receipt of human beings for the purpose of exploitation;

OBSERVES further that the victims of human trafficking are mainly sourced from Asia, Africa, and South America and once sold, are lured into prostitution, forced labour, drug trafficking and are often threatened and treated with extreme cruelty in furtherance of numerous acts of illegalities that put the image of Nigeria and Nigerians to shame;

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WORRIED that Nigeria's notoriety as a veritable source of the human commodity is such that baby factories are springing up in illegal hospitals and maternity homes where expectant teenagers are harbored with a view to selling off their new borns. In fact UNICEF has estimated that at least 10 children are sold daily in Nigeria and will ultimately be subjected to inhuman treatments and other forms of involuntary servitude in Europe and other parts of the world.

Accordingly resolves to:

i. ***CONDEMN*** human trafficking in all its ramifications;

ii. ***URGE*** the Attorney General of the Federation, The Inspector General of Police, Comptroller of Immigration and other agencies that are responsible for fighting human trafficking to ensure effective collaboration in their efforts at arresting and prosecuting the members of the Cartel involved in human trade;

iii. ***INVITE*** the Executive Secretary of NAPTIP to brief the Senate on the activities of NAPTIP since its inception;

iv. ***URGE*** the Economic Community of West African States (ECOWAS) and the African Union (AU) to strengthen its Co-operation among member states in the efforts at combating human trafficking.

2. A **BILL** for an Act to **AMEND** the **Economic and Financial Crimes Commission Establishment Act 2007,** to Consolidate the Commission to Discharge its Functions Effectively and for Other Related Matters 2011 (SB.7) – *Second Reading*
Sen. Ita S.J. Enang ***(Akwa Ibom North East)***

Thursday 21st, September, 2011

1. **Cholera: A Recurring Epidemic**
Senator Olubunmi Adetunmbi [Ekiti North]

Co-Sponsors:

Sen. Dahiru A. Kuta	**Sen. Smart Adeyemi**	**Sen. George T. Sekibo**
Sen. Ayogu Eze	**Sen. Enyi Abaribe**	**Sen. Ahmed M. Maccido**
Sen. Olufemi Lanlehin	**Sen. Olusola Adeyeye**	**Sen. Tony Adeniyi**
Sen. Alkali A. Jajere	**Sen. Mohd. Danjuma Goje**	**Sen. Ayo Akinyelure**
Sen. Nurudeen Abatemi-Usman	**Sen. Abdulmumin M. Hassan**	**Sen. Ibrahim A. Gobir**
Sen. Gyang Datong	**Sen. Heineken Lokpobiri**	**Sen. Nkechi Nwaogu**
Sen. Zaynab A. Kure	**Sen. Danladi A. Sankara**	

THE SENATE,
NOTES with concern the recurrent annual outbreak of cholera in different parts of the country causing deaths and hospitalization of many on a yearly basis.

WORRIED that this year for instance, there have been more than 22 reported cases of cholera outbreak in 15 States of the Federation with 2,135 infections and a total casualty in excess of 234 lives.

NOTES that,
In Adamawa State, in June this year there were 230 reported cases in Mubi South and Maiha Local Government Areas and more than 30 people succumbed to the disease.

i. In Abia State in May 2011, the cholera scourge hit Umuahia – Ezeukwu Community in Bende Local Government Area claiming 30 lives.

ii. In Sokoto State, between 2,000 and 3,000 people were infected in ten out of the 23 Local Government Areas out of which 120 died between August – September.

iii. In Gombe, 5 people died while 104 were hosipitalised in June 2011.

iv. In Benue, 45 cases were reported in August 2011 with 5 deaths.

v. In Nasarawa State, 11 deaths were recorded while 189 people were hospitalized in August, 2011.

vi. In Oyo State, Ibadan North Local Government Area recorded 20 cases and 4 deaths in August 2011;

vii. Osun State recorded 28 cases in Ede North and south Local Government Areas with 8 deaths in August 2011.

viii. Bauchi State had 38 reported cases recorded and 18 deaths in Warju Council Area.

ix. Kano State recorded 46 deaths while Yobe Sate had 33 deaths and cumulative 690 infections as at August 2011;

x. Kogi, Plateau, Jigawa and other States recorded varying degrees of infection and casualty.

FURTHER notes that cholera outbreaks perennially occur during the rainy season

WORRIED that while cholera is no longer an issue in countries where minimum hygiene standards are met, it remains a threat in Nigeria and authorities are always caught napping each time there is an outbreak.

Accordingly Resolves to:

i. Set up a special committee to investigate the scourge with a view to advising government on a lasting solution to the problem.

ii. Invite the Minister of Health to explain the action being taken by government to combat this scourge.

2. A **BILL** for an Act to **ESTABLISH** the **Veterinary University Teaching Hospital (Constitution of Boards,** etc) 2011 (SB. 30) – *Second Reading*
Sen. Dahiru A. Kuta ***(Niger East)***

Tuesday, 27th September, 2011

1. **Un Recommended FGN-Shell Fund For Clean-Up of Oil Spills in the Niger Delta:**
Sen. Yusuf Datti Baba-Ahmed ***(Kaduna North)***

Co-Sponsor:
Sen. Nenadi E. Usman

THE SENATE,
APPRECIATE a Recommendation of the UN for a US$ 1.0 billion Fund to clean-up oil spills in the Niger Delta;

EQUALLY welcomes the acceptance of responsibility for Oil Spills by Shell Petroleum;

CONSIDERS the amount of US $ 1.0 Billion as unrepresentative of the true situation in the Niger Delta, and grossly inadequate for the enormous tasks; and

REGRETS that the proposed fund overlooks the issues of compensation to Communities, and rehabilitation of deprived, destabilized and displaced persons.

Accordingly resolves to:

i. ***URGE*** the Federal Government of Nigeria to review the proposed fund in the light of true and present realities of environmental degradation, social deprivations and economic dislocation of the region.

2. A **BILL** for an Act to **REPEAL** the **Chartered Institute of Stock Brokers Act. Cap C9 LFN 2004** and Provide for the Establishment of the Chartered Institute of Securities and Investment to Regulate and Control the Practice of Securities Dealings and Investment Profession and for Related Matters 2011 (SB. 6) – *Second Reading*
Sen. Ganiyu O. Solomon *(Lagos West)*

Wednesday, 28th September, 2011

1. **Investigation into the Current Fuel Subsidy Management:**
Senator Abubakar B. Saraki *(Kwara Central)*

Co-sponsors:
Sen. Isa M. Galaudu(Kebi North)
Sen. Sunny Ogbuoji(Ebonyi South)
Sen. Okowa A. Ifeanyi(Delta North)
Sen. Adetunmbi O. Onaolapo(Ogun Central)
Sen. Robert A. Boroffice(Ondo North)
Sen. Nurudeen A. Usman(Kogi Central)
Sen. Barnabas Gemade(Benue N/East)
Sen. Shaaba L.afiaji (Kwara North)
Sen. Adeyeye Olusola(Osun Central)
Sen. Wilson Ake(Reivers West)
Sen. Andy Uba(Anambra South)
Sen. Gobir Ibrahim(Sokoto East)
Sen. Simeon Ajibola (Kwara South)
Sen. Tukur Bello(Adamawa Central)

THE SENATE;

NOTES that the Federal Government of Nigeria operates a fuel subsidy scheme with the policy purpose of making petroleum products available in order to cushion the effect of the true market prices of petroleum products on the populace;

RECOGNIZING that the fuel subsidy scheme is a long-standing government palliative action to help the Nigerian masses. This motion does not aim by any guise to remove the fuel subsidy;

RECOGNIZING in the meantime, the need to make the scheme more transparent, corruption free and competitive within an appropriate legislative framework and in compliance with the Appropriation Act.

NOTES that in furtherance to the implementation of the fuel subsidy, an amount is budgeted in the Appropriation Act. In 2011 the sum of N240bn (N20bn Monthly) was allocated;

NOTES that of the N20bn monthly allocation, N11.2bn was allocated for Domestic Fuel Subsidy (NNPC) and N8.8bn for Domestic Fuel Subsidy (Market) as stated in the Appropriation Act 2011;

OBSERVES that although N20bn was set aside for subsidy on a monthly basis in the Appropriation Act 2011, in August 2011 the total figure expended was N165bn of which NNPC was N88bn and Independent Marketers was N77.7bn;

OBSERVES that although N240bn was budgeted for the entire year, so far as at end of August 2011 N931bn has been spent. This is a variance of N771bn or 700% above budget;

WORRIED that in the first three months of the year both NNPC and the Independent Marketers did not exceed N62bn monthly but within the last three months figures have ranged between N150bn and N186bn;

OBSERVES that with this trend, by the year-end we will have a fuel subsidy bill of over N1.2tr (one trillion, two hundred billion naira) as against the N240bn (two hundred and forty billion naira) budgeted in the Appropriation Act;

OBSERVES that this expenditure is treated as a first line charge and by implication all other expenditures including Capital expenditures and even distributions to the states and local government, which we represent, is secondary;

NOTES that the implementation of 2011 Appropriation Act will surely be in troubled waters if a variation of N1.2tr arises as a result of the level of expenditure incurred on fuel subsidy so far;

NOTES that the wide disparity between what was budgeted for fuel subsidy scheme and what is expended goes to the integrity of the budget and an erosion of the authority of the National Assembly;

NOTES that the processes, audit, scrutiny and value for money in the entire subsidy management system lacks transparency and control as the costs have continued to maintain an upward swing;

CONCERNED that the National Assembly spends an enormous amount of energy to conclude a Capital budget of N1.1tr (one trillion one hundred billion naira) for the entire country and a single Agency of government can incur the same amount without due approval of the National Assembly poses a grave challenge and therefore an urgent need arises to review the subsidy scheme in order to strengthen the institutional integrity, transparency and accountability;

CONCERNED that if nothing is done to address this situation urgently we risk the non-implementation of the 2011 budget and the hopes of Nigerians that much can be achieved this year will be a mirage.

Accordingly resolves to:

i. *SET* up a Special Committee to investigate the operation of the fuel subsidy scheme with a view to determine that it is still run within the parameters of the law and if not find ways and means to make it much more transparent, accountable, efficient, sustainable and within the Appropriation Act;

ii. *INVESTIGATE* and establish the structure of operations and financing of the fuel subsidy scheme with a view to establishing if there are cases bothering on misappropriation, misallocation and infractions that aid or lead to abuse of the Appropriation Act and/or violate the law;

iii. *REVIEW* the standards of legislative oversight reporting with a view to enforce stricter compliance and enforcement of the Appropriation Act and rein in government agencies to the control of enabling laws passed by the National Assembly.

2. A **BILL** for an Act to **ESTABLISH** the **Federal Capital Territory College of Education, and Other Matters** Connected Therewith 2011 (SB. 27) - *Second Reading*
Sen. Philip T. Aduda ***(FCT)***

Thursday, 29th September, 2011

1. **Incessant Strikes As Tool For Settling Trade Disputes By Labour Unions**
SEN: OLUBUNMI ADETUNMBI (EKITI NORTH)

Co-sponsors:

Sen. Dahiru A. Kuta	Sen. Smart Adeyemi	Sen. George T. Sekibo
Sen. Ayogu Eze	Sen. Olufemi Lanlehin	Sen. Olusola Adeyeye
Sen. Tony Adeniyi	Sen. Alkali A. Jajere	Sen. Mohd. Danjuma Goje
Sen. Ayo Akinyelure	Sen. Nurudeen Abatemi-Usman	Sen. Abdulmumin M. Hassan
Sen. Gyang Datong	Sen. Heineken Lokpobiri	Sen. Nkechi Nwaogu
Sen. Zaynab A. Kure	Sen. Danladi A. Sankara	

THE SENATE,
NOTES with concern the ugly trend in the country where Labour Unions resort to strikes in the settlement of disputes between them and the governments both Federal and State.
FURTHER notes with worry the unhealthy rivalry that exists between Labour and governments which often result in conflict of interest

ACKNOWLEDGES the fact that for the nation to develop, there must be a cordial working relationship between the labour unions and the government.

FURTHERMORE notes that most of the disputes, the subject matter of strikes, are issues that could be resolved by mediation, arbitration, conciliation, dialogue or by the National Industrial Court.

RECOGNISES the fact that Labour Unions have rights which must be exercised within the ambit of the rule of law and so the National Assembly had strengthened the National Industrial Court through constitutional backing for the purpose of adjudicating in trade union matters.

AWARE that strikes weaken democracy, aggravate poverty, obliterate sustainable development, inflict great pain and suffering on the masses and reduces productivity with attendant massive and colossal economic loss.

NOTES with apprehension that the Nigeria Labour Congress had recently threatened to paralyse government activities in five state of the federation while the Academic Staff Union of Universities had threatened to embark on an indefinite strike from **September 26th** if their demands are not met.

WORRIED that if this trend is not curtailed, trade unions may constitute themselves into a parallel government in the Federation.

Accordingly Resolves to:

i) Urge the Labour Unions to always explore alternative dispute resolution methods before embarking on strikes or issuing threats of strikes.

ii) Urge Labour Union leaders to see themselves as partners in progress with governments and positively contribute to development goals of government;

iii) Urge Labour Union leaders to embrace the culture of dialogue and peaceful resolution of conflicts with government.

iv) Plead with Labour leaders that as they demand rights for workers, they should begin to strive to deliver services and value to employers both in the private and public sectors.

v) Urge Labour Unions to engage in collaborative partnership with governments and formulate frameworks and processes that make them part of the policy development process of government with the aim of enhancing service delivery and poverty alleviating social investments.

2. A **BILL** for an Act to **PROVIDE** for **Legal Recognition of Electronic Messages** in Commercial Transactions, the Use of the Electronic Messages to Fulfill Legal Requirements and to Enable and Facilitate Commercial Transactions through the Use of Electronic Means and Other Matters Connected Therewith 2011 (SB. 9) – *Second Reading*
Sen. Ganiyu O. Solomon ***(Lagos West)***