SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 19th April, 2012

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

2. **Votes and Proceedings:**
The Deputy Senate President announced that he had examined the Votes and Proceedings of Wednesday, 18th April, 2012 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Announcement:**
Acknowledgment:
The Deputy Senate President acknowledged the presence of Members of the Political Talk Group, Nasarawa State University, Keffi, Nasarawa State who were in the gallery to observe Senate Proceedings.

4. **Petition:**
Rising on Rule 41, Senator Babajide C. Omoworare (*Osun East*) drew the attention of the Senate to a petition from his constituent, Mr Tunde Adewole, on his wrongful dismissal from the Nigerian Army. He urged the Senate to look into the matter.

Petition Laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41 (3)].

5. **Presentation of bills**:
(i) Nigerian Communications Satellite Corporation (Establishment, etc.) Bill 2012 (HB. 208) — *Read the First Time.*

(ii) Petroleum Act Cap P10 LFN 2004 (Amendment) Bill 2012 (SB. 145) — *Read the First Time.*

6. **Confirmation of nomination:**
Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of Dr. (Mrs) Sarah Omotunde Alade for re-appointment as Deputy Governor of the Central Bank of Nigeria (*Deputy Senate Leader*).

Question put and agreed to.

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Request accordingly referred to the Committee on Banking, Insurance and Other Financial Institutions to report within two (2) weeks.

7. Confirmation of nominations:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of the following nominees for appointment as Resident Electoral Commissioners, in the Independent National Electoral Commission(INEC):

(*i*)	Mr. Habu Zarma Hinna	Gombe State	Re-appointment
(*ii*)	Aniedi Ikoiwak	Akwa Ibom State	Re-appointment
(*iii*)	Mr. Baritor Lenusikpugi Kpagih	Rivers State	New-appointment

(*Deputy Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Independent National Electoral Commission(INEC) to report within two (2) weeks.

8. Motion:

The State of Nigerian Expressways:

Consideration of Motion deferred to another Legislative Day.

9. Committee on Establishment and Public Service:

Report on the screening of nominees:

Motion made: That the Senate do consider the Report of the Committee on Establishment and Public Service, on the screening of the following nominees for appointment as Chairman and Members of the Federal Civil Service Commission (FCSC):

S/N	Name	State	To Represent
1.	Deaconess Joanna Olatoyosi Ayo	Oyo	Chairman
2.	Alhaji Ibrahim Mohammed	Kaduna	Kaduna and Katsina States
3.	Dr. Garuba Buwai	Zamfara	Sokoto, Kebbi and Zamfara States
4.	Alhaji Saidu G. Zakari	Kano	Kano and Jigawa States
5.	Alhaji Yahaya Yusuf	Bauchi	Bauchi and Borno States
6.	Alhaji Y. Y. Sulaiman	FCT	Niger State and FCT
7.	Dr. Mohammed Hamidu Babanka	Taraba	Gombe, Adamawa and Taraba States
8.	Alhaji Rafiu Babatunde Tinubu	Lagos	Lagos and Ogun States

(*Senator Aloysius A. Etok — Akwa Ibom North West*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Establishment and Public Service, on the screening of nominees for appointment as Chairman and Members of the Federal Civil Service Commission (FCSC).

Nominees recommended for confirmation:

S/N	NAME	STATE	TO REPRESENT	
1.	Deaconess Joanna Olatoyosi Ayo	Oyo	Chairman	-- *Agreed to.*
2.	Alhaji Ibrahim Mohammed	Kaduna	Kaduna and Katsina States	— *Agreed to.*
3.	Dr. Garuba Buwai	Zamfara	Sokoto, Kebbi and Zamfara States	— *Agreed to*
4.	Alhaji Yahaya Yusuf	Bauchi	Bauch and Borno States	— *Agreed to.*
5.	Dr. Mohammed Hamidu Babanka	Taraba	Gombe, Adamawa and Taraba States	— *Agreed to.*
6.	Alhaji Rafiu Babatunde Tinubu	Lagos	Lagos and Ogun States	— *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service, on the screening of the nominees for appointment as Chairman and Members of the Federal Civil Service Commission (FCSC) and approved the nominations.

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

Confirmation of nominations:

Question:
"Will the Senate confirm the nomination of Deaconess Joanna Olatoyosi Ayo (*Oyo State*) for appointment as Chairman of the Federal Civil Service Commission (FCSC)?". — *Resolved in the Affirmative.*

Nomination of Deaconess Joanna Olatoyosi Ayo (Oyo State) for appointment as Chairman of the Federal Civil Service Commission (FCSC) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Alhaji Ibrahim Mohammed (Kaduna *State*) for appointment as a Member of the Federal Civil Service Commission (FCSC)?" — *Resolved in the Affirmative.*

Nomination of Alhaji Ibrahim Mohammed (Kaduna State) for appointment as a Member of the Federal Civil Service Commission (FCSC) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Dr.Garuba Buwai (*Zamfara State*) for appointment as a Member of the Federal Civil Service Commission (FCSC)?" — *Resolved in the Affirmative.*

Nomination of Dr. Garuba Buwai (Zamfara State) for appointment as a Member of the Federal Civil Service Commission (FCSC) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Alhaji Yahaya Yusuf (*Bauchi State*) for appointment as a Member of the Federal Civil Service Commission (FCSC)?" — *Resolved in the Affirmative.*

Nomination of Alhaji Yahaya Yusuf (Bauchi State) for appointment as a Member of the Federal Civil Service Commission (FCSC) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Dr. Mohammed Hamidu Babanka (*Taraba State*) for appointment as a Member of the Federal Civil Service Commission (FCSC)?" — *Resolved in the Affirmative.*

Nomination of Dr. Mohammed Hamidu Babanka (Taraba State) for appointment as a Member of the Federal Civil Service Commission (FCSC) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Alhaji Rafiu Babatunde Tinubu (Lagos *State*) for appointment as a Member of the Federal Civil Service Commission (FCSC)?" — *Resolved in the Affirmative.*

Nomination of Alhaji Rafiu Babatunde Tinubu (Lagos State) for appointment as a Member of the Federal Civil Service Commission (FCSC) accordingly confirmed.

10. Joint Committee on Employment, Labour and Productivity; Health; and Establishment and Public Service:
Report on the Institute of Registered Safety Professionals of Nigeria (Establishment, etc) Bill 2012 (SB. 02):
Motion made: That the Senate do consider the Report of the Joint Committee on Employment, Labour and Productivity; Health; and Establishment and Public Service, on the Institute of Registered Safety Professionals of Nigeria (Establishment, etc) Bill 2012 (*Senator Wilson Ake — Rivers West).*

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE JOINT COMMITTEE ON EMPLOYMENT, LABOUR AND PRODUCTIVITY; HEALTH; AND ESTABLISHMENT AND PUBLIC SERVICE, ON THE INSTITUTE OF REGISTERED SAFETY PROFESSIONALS OF NIGERIA (ESTABLISHMENT, ETC) BILL 2012.

A BILL FOR AN ACT TO ESTABLISH THE INSTITUTE OF SAFETY PROFESSIONALS OF NIGERIA, 2012

Clause 1: **Establishment of Institute of Registered Safety Professionals of Nigeria.**
There is hereby established a body to be known as the Institute of Safety Professionals of Nigeria (in this Bill referred to as the "Institute") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Wilson Ake -- Rivers West*) — *Agreed to.*

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

Clause 2: **Objectives of the Institute.**
The objectives of the Institute shall be to—

(1) Organize and provide professional training in the area of Safety Management.

(2) In collaboration with relevant government agencies Set standards of practice and determine the knowledge and skills to be acquired by persons seeking to register and practice as safety professionals in order to improve on such standards from time to time.

(3) Do all such things as may be necessary to promote the advancement of safety profession in both the public and private sectors of the economy.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 3: **Functions Powers of the Institute.**
The Institute shall—

(1) Conduct examinations and award certificates and diplomas as well as advise employers on matters relating to qualifications for the practice of safety management in Nigeria.

(2) Conduct research into all aspects of safety management.

(3) Organize lectures, seminars, workshops and otherwise provide training for persons aspiring to qualify and practice as safety professionals.

(4) Establish and maintain list of persons registered as safety professionals in Nigeria and publish from time to time those so registered.

(5) Perform such other functions as may be necessary for the advancement of the Institute and the Safety Management Profession.

(6) Acquire and hold such movable and immovable property as may be necessary or expedient for putting into effect the provisions of this Bill.

(7) Demand and receive from any course participant or student of the Institute such fees as the Board may from time to time determine.

(8) Have power to affiliate with any University or other Tertiary Institutions for the purpose of offering higher degree programmes.

(9) In collaboration with relevant agencies of government, regulate the practice of Safety Management in Nigeria.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 4: Membership of the Institute.

(1) Subject to the provisions of this Bill a person admitted to Membership of the Institute of Safety Professionals in Nigeria shall be registered as such and shall have the right to use the appropriate title after his or her name, as may be prescribed by the Institute.

(2) Members of the Institute may make recommendations to their employers and clients with regard to safety designs in building and other structures, and may conduct safety audits, training and consultancy.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 5: Establishment and Composition of the Governing Board.

(1) There is hereby established for the Institute a governing board hereinafter referred to as the "Board" which shall provide general policy guidelines for the effective administration of the Institute.

(2) The Board shall consist of—

(*a*) President and Deputy President of the Institute who shall be elected by members of the Institute at the annual general meeting and hold office each for a term of two (2) years from the date of election.

(*b*) Ten members of the Institute with not less than 15 years practical experience who shall be elected into the board from amongst the registered members of the Institute.

(*c*) The Registrar of the Institute.

(*d*) Seven members of the Board, including the President or in his or her absence, his or her nominee shall form the quorum of the meeting of the Board.

(*e*) Vacancies existing at the board shall be filled by election.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 6: Tenure of Office of Members.

(1) Subject to the provisions of this Bill, a person elected as a member of the board shall hold office for a period of two years from the date of election and may be re-elected for a further term of two years and no more, except the Registrar whose membership of the Board terminates when he or she ceases to be the Registrar of the Institute.

(2) Membership of the Board shall be on part time basis.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 7: **Funds of the Institute.**
There is hereby established for the Institute a fund into which shall be paid and credited—

(*a*) Fees, subscriptions and other monies due to the Institute.

(*b*) Gifts, loans, grants-in-aid, testamentary disposition, endowments, contribution from philanthropic organisations, etc.

(*c*) Returns on investments made by the Institute.

(*d*) All other assets or monies that may from time to time accrue to the Institute.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 8: **Expenditure of the Institute.**
The Institute may from time to time apply proceeds of the funds of the Institute to—

(*a*) The administration of the Institute.

(*b*) The payment of the emoluments, allowances and benefit of members of the board as well as for such other employees of the Institute as may be appropriate.

(*c*) The development and maintenance of any property vested in or owned by the Institute.

(*d*) Such other activities that will promote the growth of the Institute or are connected with its functions.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 9: **Audited Accounts of the Institute.**
The Board shall keep proper accounts for the Institute in respect to each financial year and proper records in relation to such accounts, and shall cause the accounts to be audited by a firm of auditors approved by the Board and the result of the audit published within six months from the end of the financial year to which the accounts relate.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 10: Appointment and Functions of the Registrar.

(1) The Board shall appoint a fit and proper person to be the Registrar of the Institute.

(2) The Registrar shall—

(*a*) Be the secretary to the Governing Board,

(*b*) Prepare and maintain in accordance with rules approved by the Board, a register of the names, addresses, qualifications and such other particulars as may be required of all persons who are entitled in accordance with the provisions of this Bill to be registered as Safety Professionals and who apply in the specified manner and have been so registered.

(*c*) Correct in accordance with the Board's directive any entry in the register which the Board directs him to correct being in the Board's opinion an entry which was incorrectly made.

(*d*) Cause the register to be published and put on sale to members of the public not later than two years from the date in which this Bill comes into effect and thereafter cause to be established and put on sale either a corrected or an updated edition of the register every two years.

(*e*) Subject to provisions of this section, the Institute may make such other rules as may be expedient for the proper keeping of the register and making of entries therein.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 11: Registration.

A person shall be entitled to be registered as a member of the Institute of Safety Professionals under this Bill if—

(*a*) He or she holds a qualification obtained within or outside Nigeria and for the time being acceptable to the Institute.

(*b*) He or she is of good character.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 12: Approval of Courses and Accreditation.

The Institute may—

(*a*) Approve a course of training which is intended for persons seeking to become or are already registered members of the Institute.

(*b*) Accredit any Institute whether in Nigeria or elsewhere, which the Institute considers is properly organised and equipped for conducting the whole or any part of a programme of training approved by the Institute.

(*c*) Approve any qualification granted, as a result of an examination taken in a course of training approved by the Institute under this section, to candidates reaching a standard at an examination which in the opinion of the Institute, such candidate have sufficient knowledge and skill to practice safety management as a profession.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 13: Penalties for Professional Misconduct.

(*a*) There shall be a committee to be known as the Safety Professionals Disciplinary Committee (hereinafter in this Bill referred to as "the disciplinary committee") which shall be charged with the duty of considering and determining any cases of professional misconduct referred to it.

(*b*) The disciplinary committee shall consist of a chairman and four other members of the Board of the Institute appointed by the Board.

(*c*) The quorum of the meeting of the committee shall be three members, including the chairman or in his or her absence, his or her nominee.

(*d*) The disciplinary committee shall conduct investigations into any allegations against any registered member of the Institute for professional misconduct or such other conduct that warrants proceedings against him or her before the disciplinary committee and shall make determination as to his her guilt or innocence.

(*e*) Where the disciplinary committee determines that a registered member is guilty of misconduct, it shall refer the matter including all its proceedings to the Board of the Institute and the Board shall make determination as to whether the member should be—

(*i*) Reprimand, or

(*ii*) Suspended for a period not exceeding 12 months or

(*iii*) Be deregistered, that is to say have his or her name removed from the register.

(*f*) The Governing Board of the Institute may make rules not inconsistent with this Bill as to acts which constitute professional misconduct.

(*g*) If a member is convicted of a criminal offence by a court or tribunal of competent jurisdiction, he shall have his or her name removed from or struck out of the register.

(*h*) A person whose name is removed from the register in pursuance of a directive of the Governing Board under this section shall not be entitled to be registered again except in pursuance of a new directive in that behalf given by the Board upon the application of that person; not less than two years from the date on which his or her name was removed from the register.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 14: **Miscellaneous and General.**

(1) Offences and Penalties under the Bill—

(*a*) Any person who is not registered by the Institute but holds himself or herself out as a registered Safety Professional shall be guilty of an offence.

(*b*) Any person who for the purpose of procuring registration as a safety Professional—

(*i*) Makes false claim as to his or her qualifications or experiences.

(*ii*) Makes false entry or willfully falsifies the register shall be guilty of an offence.

(*c*) Such persons under this Bill shall be liable on conviction to—

(*i*) A fine not exceeding ₦100,000 or imprisonment for a term not exceeding six months or both for an individual.

(*ii*) A fine of not less than ₦500,000 for a corporate organization.

(2) Regulations, Rules and others:

The Board shall have powers to make regulations and rules for such incidental and supplementary matters as it may from time to time consider expedient for the purposes of this Bill.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 15: **Interpretation, etc.**
In this Bill, unless the context otherwise requires—

"Safety Professional" means any person qualified In an engineering discipline, occupational health sciences, environmental sciences or other scientist or specialist in a related discipline with an acceptable qualification who has acquired knowledge in the practice of safety management and whose name is in the Register of the Institute.

Question: That the words "Safety Professional" be as defined in the Interpretation to this Act, put and agreed to.

"Approved" means for the time being approved under Section 12 of this Bill.

Question: That the word "Approved" be as defined in the Interpretation to this Act, put and agreed to.

"Approved Safety Professional Qualification" means a qualification which is approved in respect of the safety professional.

Question: That the words "Approved Safety Professional Qualification" be as defined in the Interpretation to this Act, put and agreed to.

"Board" means the Governing Board of the Institute of Safety Professionals established by Section 5 of this Bill.

Question: That the word "Board" be as defined in the Interpretation to this Act, put and agreed to.

"Disciplinary Committee" has the meaning assigned to it by section 13 (a) of this Bill.

Question: That the words "Disciplinary Committee" be as defined in the Interpretation to this Act, put and agreed to.

"Register" means the register maintained under this Bill, and "registered" means registered as a member of the Institute in accordance with Section 11 of this Bill.

Question: That the word "Register" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Clause 16: Citation.
This Bill may be cited as the Institute of Safety Professionals of Nigeria Bill, 2012.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Wilson Ake — Rivers West*) — *Agreed to.*

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Joint Committee on Employment, Labour and Productivity; Health; and Establishment and Public Service, on the Institute of Registered Safety Professionals of Nigeria (Establishment, etc) Bill 2012 and approved as follows:

Clauses 1-16 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. **Joint Committee on Employment, Labour and Productivity; Health; and Establishment and Public Service:**
Report on the Occupational Safety and Health Bill 2012 (SB. 04):

Consideration of Report deferred to another Legislative Day.

12. **Adjournment:**
Motion made: That the Senate do now adjourn till Tuesday, 24th April, 2012 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:18 *p.m.*

Ike Ekweremadu, CFR
Deputy Senate President,
Senate of the Federal Republic of Nigeria.