SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 13th February, 2013

1. The Senate met at 10:45 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 12th February, 2013.

Question was put and the Votes and Proceedings were approved by unanimous consent.

3. **Announcements:**
(a) **Meeting:**
The Senate President read a letter from Senator Hope Uzodimma (*Imo West*) as follows:

SOUTHERN SENATORS FORUM
NATIONAL ASSEMBLY
ABUJA

13th February, 2013

His Excellency,
Sen. David Mark GCON, fnim,
President of the Senate,
Federal Republic of Nigeria,
National Assembly,
Abuja.

SOUTHERN SENATORS MEETING

May I crave the indulgence of your Excellency to make the following announcements viz:

Southern Senators Forum Meeting

Date: *February 13th, 2013*

Venue: *Hearing Room 1, National Assembly Complex*

Time: *30 minutes after Plenary*

Note: *Attendance Mandatory*

Do please accept the assurances of my highest esteem.

(Signed)
Senator Hope Uzodimma
(Secretary)

(b) ***Acknowledgment:***
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Staff and Students of Pacesetters Academy, Wuye, Abuja; and

(*ii*) Members of the Students' Representative Council, Federal University of Technology, Akure, Ondo State.

4. Petition:
Rising on Rule 41, Senator Victor Lar *(Plateau South)* drew the attention of the Senate to a petition from his constituents, Mr. Gideon Pam and Others on the lingering impasse with the MTN Call Centers in Jos. 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. Motions:

(i) ***Dismissal of Mr Abdulrasheed Maina for Refusal to Appear before the Senate:***
Motion made: That the Senate notes that on the 2nd of November, 2011, it had mandated its Committees on Establishment and Public Service and States and Local Governments to carry out a comprehensive investigation into the management and administration of pension funds and payment of pensioners in Nigeria pursuant to Sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria;

further notes that at its sitting of Thursday, 21st June, 2012, it considered the report of the Joint Committee and also approved the recommendations therein;

also notes that in consideration of the observations of the Joint Committee with respect to the refusal of Mr. Abdulrasheed Abdullahi Maina, the Acting Director of Customs, Immigration and Prisons Pensions Office (CIPPO) to appear before the Committee to account for the Administration and Management of Customs, Immigration and Prisons Pensions Office and the pension funds thereto, the Senate had directed that the Joint Committee should continue, and conclude, investigation of the Customs, Immigration and Prisons Pensions Office as well as invoke all legal and constitutional powers of the Senate in pursuance thereto;

aware that the Joint Committee had held Committee and Public Investigative Hearings for seven days and, according to Section 5 of the Legislative Houses (Powers and Privileges) Act, invited Mr. Abdulrasheed Abdullahi Maina to appear before the Joint Committee to give account of his tenure as well as the management and administration of pension funds at the Customs, Immigration and Prisons Pensions Office which he has on all occasions neglected and refused to honour;

further aware that after several sittings of the Joint Committee without the attendance of Mr. Maina despite proper invitation, the Joint Committee was constrained to request that the President of the Senate invoke the powers of the Senate to compel the attendance of Mr. Maina at the Public Investigative Hearing of the Senate Joint Committee;

also aware that pursuant to Section 6 of the Legislative Houses (Powers and Privileges) Act which reads;

(1) "If a person to whom a summons under section 5 of this Act is directed does not attend before the committee at the time and place mentioned therein, the President or Speaker, as the case may be, of the Legislative House may, upon being satisfied that the summons was duly served or that the person to whom the summons is directed wilfully avoids service, issue a warrant to apprehend him and bring him, at a time and place to be stated in the warrant, before the Committee."

The President of the Senate issued a Warrant to compel the attendance of Mr. Maina before the Joint Committee and which same was, according to Section 6(2) of the Legislative Houses (Powers and Privileges) Act, directed for execution by the Inspector - General of Police on Wednesday, 13th December, 2012; and

concerned that the Inspector General of Police has refused to honour and execute the warrant to compel the attendance of Mr. Maina as issued by the hand of the President of the Senate of the Federal Republic of Nigeria.

Accordingly resolves:

(*i*) that Mr. Abdulrasheed Maina be dismissed from the Public Service of the Federal Republic of Nigeria and be disengaged from all acts relating to public duty;

(*ii*) that Mr. Abdulrasheed Maina be not accorded any right and privilege whatsoever as may be due to any public office in the Federal Republic of Nigeria;

(*iii*) that the Inspector General of Police appears before the Committee on Police Affairs to give reasons why he did not act on the Warrant issued by the President of the Senate, and failure to do so, pass a vote of no confidence on him (*Senator Victor Ndoma-Egba — Cross River Central).*

Debate:

Proposed Resolution (i):

Question: That Mr. Abdulrasheed Maina be dismissed from the Public Service of the Federal Republic of Nigeria and be disengaged from all acts relating to public duty.

Amendment Proposed:

Immediately after the word "Nigeria" *insert* the word "immediately" (*Senator James E. Manager — Delta South).*

Question that the amendment be made, put and agreed to.

Proposed Resolution (ii):

Question: That Mr. Abdulrasheed Maina be not accorded any right and privilege whatsoever as may be due to any public office in the Federal Republic of Nigeria — *Negatived.*

Proposed Resolution (iii):

Question: That the Inspector General of Police appears before the Committee on Police Affairs to give reasons why he did not act on the Warrant issued by the President of the Senate, and failure to do so, pass a vote of no confidence on him.

Amendment Proposed:
Leave out all the words after "Senate" in line 3 (*Senator Umaru Dahiru — Sokoto South).*

Question that the amendment be made, put and agreed to.

Additional Proposed Resolution:
Insert additional Proposed Resolution as follows:
"That Mr Abdulrasheed Maina should be investigated and prosecuted" (*Senator Wilson A. Ake — Rivers West).*

Question that the amendment be made, put and agreed to.

Resolved:

(*i*) That Mr. Abdulrasheed Maina be dismissed from the Public Service of the Federal Republic of Nigeria immediately and be disengaged from all acts relating to public duty;

(*ii*) That the Inspector General of Police appears before the Committee on Police Affairs to give reasons why he did not act on the Warrant issued by the President of the Senate; and

(*iii*) That Mr Abdulrasheed Maina should be investigated and prosecuted ***(S/Res/033/02/13)***.

(ii) Development of Solid Minerals Sector as a Panacea to the Bankruptcy of States of the Federation and Creation of Jobs in Nigeria:

Consideration of Motion deferred to another Legislative Day.

(iii) Killing of Health Workers in Kano and Yobe States:

Consideration of Motion deferred to another Legislative Day.

6. National Health Insurance Scheme Act, Cap. N42 LFN 2004, (Repeal and Re-enactment) Bill 2013 (SB. 214):

Consideration of Bill deferred to another Legislative Day.

7. Nigeria Social Insurance Trust Fund Act CAP N88, LFN, 2004 (Amendment) Bill 2013 (SB.221):

Consideration of Bill deferred to another Legislative Day.

8. Federal Fire Service Act CAP F29Laws of Federation of Nigeria 2004 (Repeal and Re-enactment) Bill 2013 (SB.200):

Consideration of Bill deferred to another Legislative Day.

9. Recovery of Premises Act Cap 553 LFN, 1990 (Repeal and Re-enactment) Bill 2013 (SB.125):

Consideration of Bill deferred to another Legislative Day.

10. Adjournment:

Motion made: That the Senate do now adjourn till Thursday, 14th February, 2013 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:15 *p.m.*

Dr. David A. B. Mark, GCON, fnim
President,
Senate of the Federal Republic of Nigeria.