SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 22nd October, 2013

1. The Senate met at 10:29 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 8th October, 2013.

Question was put and the Votes and Proceedings were approved.

3. **Message from Mr President:**
The Senate President announced that he had received a letter from Mr President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Confirmation of Appointment:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

October 7, 2013

Distinguished Senator David Mark, GCON
Senate President,
National Assembly Complex,
Three Arms Zone,
Abuja.

Your Excellency,

CONFIRMATION OF EXECUTIVE COMMISSIONER ON THE BOARD OF THE NIGERIAN COMMUNICATIONS COMMISSION

In compliance with the provision of Section 8(1) of the Nigerian Communications Commission Act, I write to forward to you the nomination of Engineer Ubale Ahmed Shehu Maska, whose Curriculum Vitae is attached, for your kind consideration and confirmation as Executive Commissioner in the Nigerian Communications Commission:

I am confident that this exercise will receive the usual expeditious consideration of the Distinguished Members of the Senate.

Please accept, Distinguished Senate President, the assurances of my highest regards and esteem.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

4. Announcements:

(a) 4th National Prayer Breakfast:

The Senate President read a letter from Senator Ita S. J. Enang (*Akwa Ibom North-East*) as follows:

SENATOR ITA S. J. ENANG
Senator of the Federal Republic of Nigeria
Chairman, Senate Rules and Business Committee

22nd October, 2013

ANNOUNCEMENT

The Senate President, Senator David Mark, GCON, cordially invites members of the National Assembly, particularly all Distinguished Senators to the 4th National Prayer Breakfast of the National Assembly scheduled to hold on Thursday, the 24th of October, 2013 at the International Conference Center by 7a.m.

The President, His Excellency, Dr. Goodluck Ebele Jonathan, GCFR, will be the Special Guest of Honour while the Keynote Address will be delivered by Pastor John Enelamah, Executive Director, Apostles in the Market Place.

Invitation cards have been distributed to all Senators through their mail boxes and offices.

Distinguished Senators should please note that this is an interfaith programme and all Senators are hereby invited.

Thank you.

Note: All guests are expected to be seated by 7 am

(Signed)
Senator Uche Chukwumerije
Chairman, National Prayer Breakfast Committee

(Signed)
Senator Ita Enang
Chairman, Publicity Committee

(Signed)
Hon. Sokonte Davies
Secretary, National Prayer Breakfast Committee

(b) ***Appreciation:***

The Senate President read a letter from Senator James E. Manager (*Delta South*) as follows:

Senator James E. Manager

DELTA SOUTH SENATORIAL DISTRICT
CHAIRMAN, SENATE COMMITTEE ON NIGER DELTA

21st October, 2013

The President of the Senate
National Assembly
Abuja.

LETTER OF APPRECIATION

On behalf of my family and the newly wedded couple, I wish to express my gratitude to Your Excellency - the President of the Senate, the Deputy President of the Senate, the Principal Officers of the Senate, my other Distinguished colleagues, the Senate Management and staff, for honouring the invitation for the wedding ceremony of my daughter on the 19th October, 2013.

Indeed, I felt great and proud because of your esteemed presence during the event.

May I use this medium to thank you most sincerely for your support and prayers for the success of the ceremony.

I pray the Almighty God to honour you also and bless you in all your endeavours.

(Signed)
Senator James E. Manager (CON)

(c) ***Workshop:***

The Senate President read a letter from Senator Ita S. J. Enang (*Akwa Ibom North-East*) as follows:

THE SENATE

FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON RULES AND BUSINESS

22nd October, 2013

The President,
Senate of the Federal Republic of Nigeria

ANNOUNCEMENT

This is to cordially invite all Distinguished Senators to the Workshop on "Legislative Practices and Procedures" organized by the Rules and Business Committees of the Senate and the House of Representatives in collaboration with the National Institute for Legislative Studies (NILS) and the Democratic Governance for Development Projects (DGD/UNDP) for strategic Committees of the 36 States' Houses of Assembly from Monday, 28th - Tuesday 29th October, 2013.

2. The Opening ceremony will be performed by His Excellency, Senator (Dr.) David A.B. Mark, GCON, FNIM, President of the Senate of the Federal Republic of Nigeria, with a keynote address by the Speaker of the House of Representatives, Rt. Hon. Aminu Tambuwal, CFR by 10.00 am prompt on Monday, 28th October, 2013.

Venue: *Ladi Kwali Hall, Sheraton Hotel and Towers, Abuja.*

3. Your kind attendance will provide a great boost and encouragement to this unique Workshop which aim is to harmonise and nurture legislative best practices at all the tiers of Nigeria's legislatures.

(Signed)
SENATOR ITA S. J. ENANG
CONVENER

(d) Meeting of the All Progressives Congress (APC):
The Senate President read a letter from Senator George Akume (*Benue North-West*) as follows:

SENATE MINORITY LEADER
FEDERAL REPUBLIC OF NIGERIA

22nd October, 2013

NASS/MILED/SEN.VOL.1

Distinguished Sen. David Mark, GCON
President of the Senate
Federal Republic of Nigeria
National Assembly

Your Excellency,

MEETING OF ALL PROGRESSIVES CONGRESS (APC) SENATORS

There will be a meeting of Senators of the All Progressives Congress (APC).

The above meeting holds today, 22nd October 2013, at 7:00 pm prompt at No. 10 Nun St, off Danube Street, off IBB Way, Maitama, Abuja.

Crucial matters will be discussed.

All APC Senators to attend please.

Highest regards.

(Signed)
Sen. George Akume
Senate Minority Leader

5. **Committee on Federal Character and Inter-Governmental Affairs:**
Report on the Screening of Nominees:
Motion made: That the Senate do receive the Report of the Committee on Federal Character and Inter-Governmental Affairs on the screening of the following nominees for appointment as Chairman and Members of the Federal Character Commission:

S/N	NAME	STATE	STATUS
(*i*)	Prof. Shuaibu Oba Abdulraheem, OFR		Chairman
(*ii*)	Dr. Femi Ogunsola	Kwara	Member
(*iii*)	Hon. Isibor Ifaluyi	Edo	Member
(*iv*)	Mrs. Adaeze Gloria Idigo-Izundu	Anambra	Member

(*Senator Dahiru A. Kuta — Niger East*).

Question put and agreed to.

Report Laid.

6. **Committee on Foreign Affairs:**
Report on the Screening of Nominee:
Motion made: That the Senate do receive the Report of the Committee on Foreign Affairs on the screening of Mr. S. U. Ahmed (*Gombe State*) for appointment as a Career Ambassador of the Federal Republic of Nigeria (*Senator Matthew I. Nwagwu — Imo North*).

Question put and agreed to.

Report Laid.

7. **Joint Committee on National Security and Intelligence; and Judiciary, Human Rights and Legal Matters:**
Report on the Alleged Extra Judicial Killing in Apo, Abuja:

Presentation of Report deferred to another Legislative Day.

8. **Committee on Capital Market:**
Report on the Chartered Institute of Securities and Investment Bill 2013 (SB. 06):

Presentation of Report deferred to another Legislative Day.

9. **Joint Committee on Finance; and Appropriations:**
Report on the 2014 - 2016 Medium-Term Fiscal Framework (MTFF) and Fiscal Strategy Paper (FSP):

Presentation of Report deferred to another Legislative Day.

10. **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 Hon. Justice John Inyang Okoro as Justice of the Supreme Court of Nigeria (*Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Judiciary, Human Rights and Legal Matters to report within one (1) week.

11. Committee on Health, Primary Healthcare:
Report on the National Health Bill 2013 (SB. 215):
Motion made: That the Senate do consider the Report of the Committee on Health, Primary Healthcare on the National Health Bill 2013 (*Senator Ifeanyi A. Okowa — Delta North*).

Question put and agreed to.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON HEALTH, PRIMARY HEALTHCARE ON A BILL FOR AN ACT TO PROVIDE A FRAMEWORK FOR THE REGULATION, DEVELOPMENT AND MANAGEMENT OF A NATIONAL HEALTH SYSTEM AND SET STANDARDS FOR RENDERING HEALTH SERVICES IN THE FEDERATION, AND OTHER MATTERS CONNECTED THEREWITH, 2013.

PART 1 — RESPONSIBILITY FOR HEALTH AND ELIGIBILITY FOR HEALTH SERVICES AND ESTABLISHMENT OF NATIONAL HEALTH SYSTEM

Clause 1: Establishment of the National Health System:

(1) There is hereby established for the Federation the National Health System, which shall define and provide a framework for standards and regulation of health services, and which shall —

(*a*) encompass public and private providers of health services;

(*b*) promote a spirit of cooperation and shared responsibility among all providers of health services in the Federation and any part thereof;

(*c*) provide for persons living in Nigeria the best possible health services within the limits of available resources;

(*d*) Set out the rights and obligations of health care providers, health workers, health establishments and users; and

(*e*) protect, promote and fulfil the rights of the people of Nigeria to have access to health care services.

(2) The National Health System shall include —

(*a*) the Federal Ministry of Health;

(*b*) The Ministry of Health in every state and the Federal Capital Territory Department responsible for Health

(*c*) parastatals under the federal and state ministries of health;

(*d*) all local government health authorities;

(*e*) the ward health committees;

(*f*) the village health committees;

(*g*) the private health care providers;

(*h*) traditional and alternative health care providers; and

(*i*) alternative healthcare providers.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 2: Functions of the Federal Ministry of Health:

(1) The Federal Ministry of Health shall—

(*a*) ensure the development of national health policy and issue guidelines for its implementation;

(*b*) collaborate with the states and local governments to ensure that appropriate mechanisms are set up for the implementation of national health policy;

(*c*) collaborate with national health departments in other countries and international agencies;

(*d*) promote adherence to norms and standards for the training of human resources for health;

(*e*) ensure the continuous monitoring, evaluation and analysis of health status and performance of the functions of all aspects of the National Health System;

(*f*) co-ordinate health and medical services delivery during national disasters;

(*g*) participate in inter-sectoral and inter-ministerial collaboration;

(*h*) conduct and facilitate health systems research in the planning, evaluation and management of health services;

(*i*) ensure the provision of tertiary and specialized hospital services;

(*j*) ensure and promote the provision of Quarantine and Port Health Services;

(*k*) determine the minimum data required to monitor the status and use of resources;

(*l*) promote availability of good quality, safe and affordable essential drugs, medical commodities, hygienic food and water; and

(*m*) issue guidelines and ensure the continuous monitoring, analysis and good use of drugs and poisons including medicines and medical devices.

(2) Without prejudice to the foregoing functions, the Federal Ministry of Health shall—

(*a*) prepare strategic, medium term health and human resources plans annually for the exercise of its powers and the performance of its duties under this Act;

(*b*) ensure that the national health plans referred to in paragraph (a) of this subsection shall form the basis of—

(*i*) the annual budget proposal as required by the Federal Ministry of Finance

(*ii*) other governmental planning exercises as may be required by any other law; and

(*c*) ensure that the national health plans shall comply with national health policy.

(*d*) ensure the preparation and presentation of an annual report of the State of health of Nigerians and the National Health System to the President and the National Assembly.

(3) The Federal Ministry of Health shall where necessary provide to State Ministries of Health—

(*a*) technical assistance in the development of state health policies and plans;

(*b*) commodities and technical materials, including methodologies, policies and standards for use in programme implementation including monitoring and evaluation; and

(*c*) other technical assistance as may be necessary.

(4) The Minister shall supervise the departments and parastatals of the Ministry to enable him carry out the functions assigned to the Ministry by this or any other Act.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 3: Eligibility for exemption from payment for health services in public health establishments:

(1) The Minister, in consultation with the National Council on Health may prescribe conditions subject to which categories of persons may be eligible for exemption from payment for health care services at public health establishments.

(2) In prescribing any condition under subsection (1), the Minister shall have regard to —

(*a*) the range of exempt health services currently available;

(*b*) the categories of persons already receiving exemption from payment for health services;

(*c*) the impact of any such condition on access to health services; and

(*d*) the needs of vulnerable groups such as women, children, older persons and persons with disabilities.

(3) Without prejudice to the prescription by the Minister in subsection 3(1), all Nigerians shall be entitled to basic minimum package of health services.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 4: Establishment and Composition of the National Council on Health:

(1) There is hereby established the National Council on Health (in this Act referred to as "the National Council" or "Council") which shall consist of—

(*a*) the Minister, who shall be the Chairman;

(*b*) the Minister of State for Health, if any

(*c*) the Commissioners responsible for matters relating to Health in the States of the Federation;

(*d*) the Secretary responsible for Health in the Federal Capital Territory, Abuja.

(2) The Permanent Secretary of the Federal Ministry of Health shall be the Secretary to the National Council.

(3) The National Council shall meet at least once a year.

(4) The National Council shall have powers to regulate its proceedings.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 5: Functions of the National Council:

(1) The National Council which shall be the highest policy making body in Nigeria on matters relating to health, shall—

(*a*) have responsibility for the protection, promotion, improvement and maintenance of the health of the citizens of Nigeria, and the formulation of policies and prescription of measures necessary for achieving the responsibilities specified under this paragraph;

(*b*) offer advise to the Government of the Federation, through the Minister, on matters relating to the development of national guidelines on health and the implementation and administration of the National Health Policy;

(*c*) ensure the delivery of basic health services to the people of Nigeria and prioritize other health services that may be provided within available resources;

(*d*) advise the Government of the Federation on technical matters relating to the organization, delivery and distribution of health services;

(*e*) issue, and promote adherence to, norms and standards, and provide guidelines on health matters, and any other matter that affects the health status of people;

(*f*) identify health goals and priorities for the nation as a whole and monitor the progress of their implementation;

(*g*) promote health and healthy lifestyles;

(*h*) facilitate and promote the provision of health services for the management, prevention and control of communicable and non-communicable diseases;

(*i*) ensure that children between the ages of zero and five years and pregnant women are immunized with vaccines against infectious diseases;

(*j*) coordinate health services rendered by the Federal Ministry with health services rendered by the States, Local Government, Wards, and private health care providers and provide such additional health services as may be necessary to establish a comprehensive national health system;

(*k*) integrate the health plan of the Federal Ministry of Health and State Ministries of Health annually; and

(*l*) perform such other duties as may be assigned to the Council by the Minister.

(2) The National Council shall determine the time frames, guidelines and format for the formulation of the National and State Health Plans.

(3) The National Council shall be advised by the Technical Committee established in terms of this Bill.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 7: **Functions of the Technical Committee:**

(1) The Technical Committee shall advise the National Council on its functions as contained in section 5(1) of this Act and any other matters that the council may refer to it.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Clause 8: **Conduct of the Proceedings of the Technical Committee.**

(1) The Technical Committee shall strive to reach its decisions by consensus but where a decision cannot be reached by consensus; the decision of the majority of the members shall prevail and be regarded as the decision of the Technical Committee.

(2) The Technical Committee may create one or more ad hoc committees of experts in health matters to advise it on any matter with which it is concerned.

(3) The Technical Committee shall determine the proceedings for its meetings and the quorum for its meetings shall be not less than one third of its membership, including the person presiding at any such meeting.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

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

Further consideration of Bill deferred to another Legislative Day.

Chairman to report Progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Health, Primary Healthcare on the National Health Bill 2013 and approved as follows:

Clauses 1- 8 — As Recommended

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

Further consideration of Bill deferred to another Legislative Day.

12. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from Thirty-Nine (39) Staff on their Wrongful and Indiscriminate Termination of Appointments by the National Judicial Institute (NJI):

Consideration of Report deferred to another Legislative Day.

13. **High Court of the Federal Capital Territory, Abuja (Number of Judges) Act No. 15 2003 (Amendment) Bill 2013 (SB. 295):**

Consideration of Bill deferred to another Legislative Day.

14. **Adjournment:**
Motion made: That the Senate do now adjourn till Wednesday, 23rd October, 2013 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:01 *p.m.*

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