SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 19th February, 2014

1. The Senate met at 10:50 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 18th February, 2014.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(i) ***Membership of Committees:***
The Senate President named the following Senators as Vice Chairmen and Members of the underlisted Committees:

Senator Gyang N. S. Pwajok

(*a*)	Marine Transport	—	Vice Chairman
(*b*)	Health	—	Member
(*c*)	Aviation	—	Member
(*d*)	Solid Minerals	—	Member
(*e*)	SURE-P	—	Member

Senator Emmanuel E. Aguariavwodo

(*a*)	Privatisation	—	Vice Chairman
(*b*)	NEPAD	—	Vice Chairman
(*c*)	Senate Services	—	Member
(*d*)	Education	—	Member
(*e*)	Agriculture	—	Member

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

(*a*) Staff and Students of Great Legacy Academy, Karu, Abuja;

(*b*) Staff and Students of Baybos Home School, Wuse Zone 3, Abuja; and

(*c*) Staff and Students of Thaqafatul Islamiyya School, Abaji, Abuja.

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4. Personal Explanation:

Rising on Rule 43, Senator Nenadi E. Usman *(Kaduna South)* informed the Senate of the demise of Senator Isaiah Balat on Tuesday, 18th February, 2014 at the National Hospital, Abuja, after a brief illness. She said that details of the burial arrangements would be made available to the Senate as soon as they are released by the family.

One minute silence observed in honour of the deceased.

5. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Babajide C. Omoworare (*Osun East*) drew the attention of the Senate to the recent revelations at the on going Public Hearing of the Senate Committee on Finance, where it was alleged that the Nigerian National Petroleum Corporation (NNPC) had illegally spent funds not appropriated for in the 2013 Appropriation Act on kerosine subsidy. He sought and obtained the leave of the Senate to present the matter.

Matter to stand over to the next Legislative Day [Rule 42(2)].

6. Privileges:

Rising on Rule 15, Senator Olubunmi A. Adetunmbi *(Ekiti North)* drew the attention of the Senate to the inability of the relevant Senate Committees to attend to the Petroleum Industry Bill (PIB) and the Malabu Oil and Gas probe, almost a year after both matters were referred to them. He said that the inaction of the Committees has impugned on his privilege as a Senator of the Federal Republic of Nigeria.

The relevant Committees were ordered to expedite action on the matters.

7. Presentation of Bills:

(*i*) Counseling Practitioners Council of Nigeria (Establishment, etc.) Bill 2014 (SB. 446) — *Read the First Time.*

(*ii*) Nigerian Electricity Management Authority (NEMSA) (Establishment, etc.) Bill 2014 (SB. 447) — *Read the First Time.*

(*iii*) Advance Fee Fraud and Other Fraud Related Offences Act Cap A6 LFN 2011 (Amendment) Bill 2014 (SB. 448) — *Read the First Time.*

(*iv*) Banks and Other Financial Institutions Act Cap B3 LFN 2011 (Amendment) Bill 2014 (SB. 449) — *Read the First Time.*

8. Committee on Works:

Report on the screening of nominee:

Motion made: That the Senate do consider the Report of the Committee on Works on the screening of Col. Umaru Faruk Ahmed (rtd) (*Katsina State*) for appointment as a Member of the Governing Board of the Infrastructure Concession Regulatory Commission (*Senator Ayogu Eze — Enugu North*).

Question put and agreed to.

Report presented.

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 Works on the screening of Col. Umaru Faruk Ahmed (rtd) (*Katsina State*) for appointment as a Member of the Governing Board of the Infrastructure Concession Regulatory Commission.

Nominee recommended for confirmation:
Col. Umaru Faruk Ahmed (rtd) (*Katsina State*) — *Agreed to.*

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 Works on the screening of Col. Umaru Faruk Ahmed (rtd) (*Katsina State*) as a Member of the Governing Board of the Infrastructure Concession Regulatory Commission and approved the nomination.

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

Confirmation of nomination:

Question:
"Will the Senate confirm the nomination of Col. Umaru Faruk Ahmed (rtd) (*Katsina State*) as a Member of the Governing Board of the Infrastructure Concession Regulatory Commission?"
— *Resolved in the Affirmative.*

Nomination of Col. Umaru Faruk Ahmed (rtd) (Katsina State) as a Member of the Governing Board of the Infrastructure Concession Regulatory Commission accordingly confirmed.

9. **Conference Committee:**
Report on the National Automotive Design and Development Council Bill 2014 (SB. 25):
Motion made: That the Senate do adopt the Report of the Conference Committee on National Automotive Design and Development Council Bill 2014 (*Senator Nenadi E. Usman — Kaduna South*).

Question put and agreed to.

Report accordingly adopted.

10. **Committee on Establishment and Public Services:**
Report on the National Assembly Service Commission Act Cap N7 2004 (Repeal and enactment) Bill 2014 (SB. 245):

Consideration of Report deferred to another Legislative Day.

11. **Committee on Health, Primary Healthcare:**
Report on the National Health Bill 2014 (SB. 215):
Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Health, Primary Healthcare on the National Health Bill 2014 (*Adjourned Debates - Wednesday, 22nd January, 2014*)*(Deputy Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED 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, 2014.

PART V — CONTROL OF BLOOD, BLOOD PRODUCTS, TISSUE AND GAMETES IN HUMANS

Clause 49: Establishment of National Blood Transfusion Services.

(1) The Minister shall establish a National Blood Transfusion Service for the Federation.

(2) The Minister shall make regulations for the establishment and maintenance of the National Blood Transfusion Service.

(3) Without prejudice to the provision of sub-section(1) of this section, the States may set up Blood Transfusion Service as they find appropriate within their jurisdiction.

Committee's Recommendation:
That the provision in Clause 49 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 49 *do stand part of the Bill, put and agreed to.*

Clause 50: Removal of Tissue, Blood or Blood Products from Living persons.

(1) Subject to the provision of section 54, a person shall not remove tissue, blood or blood product from the body of another living person for any purpose except

(*a*) with the informed consent of the person from whom the tissue, blood or blood product is removed granted in prescribed manner; and

(*b*) that the consent clause may be waived for medical investigations and treatment in emergency cases

(*c*) In accordance with prescribed protocols by the appropriate authority

(2) A person shall not remove tissue which is not replaceable by natural processes from a person younger than eighteen years.

(3) a person who contravenes the provisions of this section or fails to comply therewith is guilty of an offence and liable on conviction as follows:

(*a*) in the case of tissue, a fine of ₦1,000,000 or imprisonment of not less than two years or both fine and imprisonment

(*b*) in the case of blood or blood products, a fine of ₦100,000 or imprisonment for a term not exceeding one year or both fine and imprisonment.

Committee's Recommendation:
That the provision in Clause 50 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 50 *do stand part of the Bill, put and agreed to.*

Clause 51: Use of Tissue, Blood or Blood Products removed or withdrawn from living persons.

(1) subject to the provision of section 54, a person shall use tissue removed or blood or a blood product withdrawn from a living person only for such medical or dental purposes as may be prescribed

(2) a person who contravenes the provisions of this section or fails to comply therewith is guilty of an offence and liable on conviction as follows—

(*a*) in the case of tissue, a fine of ₦1,000,000 or imprisonment of not less than two years or both fine and imprisonment.

(*b*) in the case of blood or blood products, a fine of ₦100,000 or imprisonment for a term not exceeding one year or both fine and imprisonment.

Committee's Recommendation:
That the provision in Clause 51 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 51 *do stand part of the Bill, put and agreed to.*

Clause 52: Prohibition of Reproductive and Therapeutic Cloning of Human Kind.

(1) A person shall not—

(*a*) manipulate any genetic material, including genetic material of human gametes, zygotes or embryos; or

(*b*) engage in any activity including nuclear transfer or embryo splitting for the purpose of the cloning of human being.

(*c*) import or export human zygotes or embryos.

(2) Any person who contravenes a provision of this section or who fails to comply therewith is guilty of an offence and is liable on conviction to imprisonment for a minimum of five years with no option of fine.

Committee's Recommendation:
That the provision in Clause 52 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 52 *do stand part of the Bill, put and agreed to.*

Clause 53: Removal and Transplantation of Human Tissue in Hospital.

(1) A person shall not remove tissue from a living person for transplantation in another living person or carry out the transplantation of such tissue except—

(*a*) in a hospital authorised for that purpose; and

(*b*) on the written authority of—

(*i*) the medical practitioner in charge of clinical services in that hospital or any other medical practitioner authorised by him or her; or

(*ii*) in the case where there is no medical practitioner in charge of the clinical services at that hospital a medical practitioner authorised thereto by the person in charge of the hospital.

(2) The medical practitioner stated in subsection (1)(b) shall not be the lead participant in a transplant for which he has granted authorization under that subsection.

(3) for the purpose of transplantation, there shall be an independent tissue transplantation Committee within any health establishment that engages in the act and practice of transplantation as prescribed.

Committee's Recommendation:
That the provision in Clause 53 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 53 do stand part of the Bill, put and agreed to.

Clause 54: Removal, Use or Transplantation of Tissue and Administering of Blood and Blood Products by Medical Practitioner or Dentist.

(1) Only a registered medical practitioner or dentist may remove any tissue from a living person, use tissue so removed for any of the purposes stated in this Bill or transplant tissue so removed into another living person.

(2) Only a registered medical practitioner or dentist, or a person acting under the supervision or on the instructions of a medical practitioner or dentist, may administer blood or a blood product to, or prescribe blood or a blood product for, a living person.

Committee's Recommendation:
That the provision in Clause 54 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 54 *do stand part of the Bill, put and agreed to.*

Clause 55: Payment in Connection with the Importation, Acquisition or Supply of Tissue, Blood or Blood Product.

(1) It is an offence for a person—

(*a*) who has donated tissue, blood or a blood product to receive any form of financial or other reward for such donation, except for the reimbursement of reasonable costs incurred by him or her to provide such donation; and

(*b*) to sell or trade in tissue, blood, blood products except for reasonable payments made in appropriate health establishment for the procurement of tissues, blood or blood products.

(2) Any person found guilty of an offence under subsection (1) is liable on conviction to a fine of ₦100,000 (one hundred thousand naira) or to imprisonment for a period not exceeding one year or to both fine and imprisonment.

Committee's Recommendation:
That the provision in Clause 55 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 55 *do stand part of the Bill, put and agreed to.*

Clause 56: Allocation and Use of Human Organs.

(1) Human organs obtained from deceased persons for the purpose of transplantation or treatment, or medical or dental training or research, shall only be used in the prescribed manner.

(2) Human organs obtained under subsection(1) shall be allocated as prescribed.

(3) The National Tertiary Health Institutions Standards Committee shall prescribe —

(*a*) criteria for the approval of organ transplant facilities; and

(*b*) procedural measures to be applied for such approval.

(4) A person who contravenes a provision of this section or fails to comply therewith or who charges a fee for a human organ is guilty of an offence and shall be liable to imprisonment for a minimum of five years without option of fine.

Committee's Recommendation:
That the provision in Clause 56 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 56 *do stand part of the Bill, put and agreed to.*

Clause 57: Donation of Human Bodies and Tissue of Deceased Persons.

(*a*) A person who is competent to make a will may—

(*i*) in the will; or

(*ii*) in a document signed by him and at least two competent witnesses; or

(*iii*) in a written statement made in the presence of at least two competent witnesses, donate his or her body or any specified tissue thereof to be used after his or her death, or give consent to the post mortem examination of his or her body, for any purpose provided for in this Bill.

(*b*) A person who makes a donation as stated in paragraph (a) above may nominate an institution or a person as donee.

Committee's Recommendation:
That the provision in Clause 57 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 57 do stand part of the Bill, put and agreed to.

Clause 58: Purposes of Donation of Body, Tissue etc.

(1) A donation under section 56 may only be made for the purposes of—

(*a*) training of students in health sciences;

(*b*) health research;

(*c*) advancement of health sciences;

(*d*) therapy including the use of tissue in any living person; or

(*e*) production of a therapeutic, diagnostic or prophylactic substance.

(2) This Bill does not apply to the preparation of the body of a deceased person for the purposes of embalming it, whether or not such preparation involves the—

(*a*) making of incisions in the body for the withdrawal of blood and the replacement thereof by a preservative; or

(*b*) restoration of any disfigurement or mutilation of the body before its burial.

Committee's Recommendation:
That the provision in Clause 58 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 58 do stand part of the Bill, put and agreed to.

Clause 59: Procedure for Revocation of any Donation.

A donor may, prior to the removal for transplantation of the relevant organ into the donee, revoke a donation in the same way in which it was made or, in the case of a donation by way of a will or other document, also by the intentional destruction of that will or document (*Senator Ifeanyi A. Okowa — Delta North*).

Amendment Proposed:
Immediately after the word "intentional" in line 3, *leave out* all the words and *insert* the words "revocation of that will, codicil or document" instead thereof (*Senator Ita S. J. Enang — Akwa Ibom North-East*).

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

Question that Clause 59 as amended do stand part of the Bill, put and agreed to.

Clause 60: Post Mortem Examination of Bodies.

(1) Subject to subsection (2), a post mortem examination of the body of a deceased person may be conducted if—

(*a*) the person, while alive, gave consent thereto;

(*b*) the spouse, major child, parent, guardian, major brother or major sister of the deceased in the specific order mentioned, gave consent thereto; or

Amendment Proposed:
Leave out the provision in subclause 60(1)(b) and *insert* the following instead thereof:
(*b*) the spouse, child, parent, guardian, brother or sister of the deceased not below the age of eighteen (18) years in the specific order mentioned, gave consent thereto; or (*Senator Ike Ekweremadu — Enugu West*).

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

(*c*) such an examination is necessary for determining the cause of death.

(2) A post mortem examination may not take place unless—
(*a*) the medical practitioner in charge of clinical services in the hospital or authorised institution or of the mortuary in question, or any other medical practitioner authorised by such practitioner, has authorised the post mortem examination in writing and in the prescribed manner; or

(*b*) In the case where there is no medical practitioner in charge of clinical services, a medical practitioner authorized by the person in charge of such hospital or authorized institution, has authorized the post mortem examination in writing and in the prescribed manner(*Senator Ifeanyi A. Okowa — Delta North*).

Question that Clause 60 as amended do stand part of the Bill, put and agreed to.

PART VII — REGULATIONS AND MISCELLANEOUS PROVISIONS

Clause 61: **Regulations.**
The Minister, in consultation with the National Council, may make regulations with regard to any other matter which is reasonably necessary or expedient to prescribe in the implementation of this Bill.

Committee's Recommendation:
That the provision in Clause 61 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 61 do stand part of the Bill, put and agreed to.

Clause 62: **Powers of Minister to appoint Committees.**
(1) The Minister may, after consultation with the National Council, establish such number of advisory and technical committees as may be necessary to achieve the objects of this Bill.

(2) When establishing an advisory or technical committee, the Minister may determine by notice or circular—
(*a*) its composition, functions and working procedure; and

(*b*) any incidental matters relating to that advisory or technical committee.

Committee's Recommendation:
That the provision in Clause 62 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 62 do stand part of the Bill, put and agreed to.

Clause 63: National Consultative Health Forum.

(1) The Minister shall establish a body to be known as the National Consultative Health Forum.

(2) The National Consultative Health Forum shall promote and facilitate interaction, communication and the sharing of information on National Health issues between representatives of the Federal Ministry of Health, National Organizations identified by the Minister and State organisations.

(3) The National Consultative Forum shall include relevant stakeholders and shall meet at least once a year. The Minister shall determine the composition and the place, date and time of any meeting of the National Consultative Forum.

Committee's Recommendation:
That the provision in Clause 63 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 63 do stand part of the Bill, put and agreed to.

Clause 64: Assignment of Duties and delegation of powers.

(1) The Minister may assign any duty and delegate any power imposed or conferred upon him by this Bill, except the power to make regulations to—

(*a*) any person in the employment of the Federal Government; or

(*b*) any council, board or committee established in terms of this Bill.

(2) A Commissioner may assign any duty and delegate any power imposed or conferred upon him or her by this Bill, except the power to make regulations to any officer in the relevant State Ministry or any Council, Board or Committee established in terms of this Bill.

(3) The Permanent Secretary of the Federal Ministry may assign any duty and delegate any power imposed or conferred upon him or her by this Bill to any official in the Federal Ministry of Health.

(4) The Permanent Secretary of a State Ministry may assign any duty and delegate any power imposed or conferred upon him or her in terms of this Bill to any official of that State Ministry of Health.

Committee's Recommendation:
That the provision in Clause 64 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 64 do stand part of the Bill, put and agreed to.

Clause 65: Savings and transitional provisions.

(1) Anything done before the commencement of this Bill under a provision of any other relevant Act or regulation which could have been done under a provision of this Bill shall be regarded as having been done under the corresponding provision of this Bill.

(2) The Minister may prescribe such further transitional arrangements as may be necessary in the circumstance.

Committee's Recommendation:

That the provision in Clause 65 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 65 do stand part of the Bill, put and agreed to.

Clause 66: Interpretation.

In this Bill, unless the context otherwise requires—

"appropriate authority" means any other authority apart from the Minister, Commissioner, Executive Secretary, Chairmen of Boards or Chairman of Agency;

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

"basic minimum package" means the set of health services as may be prescribed from time to time by the Minister after consultation with the National Council on Health;

Question: That the words "basic minimum package" be as defined in the Interpretation to this Act, put and agreed to.

"blood product" means any product derived or produced from blood, including circulating progenitor cells, bone marrow progenitor cells and umbilical cord progenitor cells;

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

"certificate of standards" means a certificate under section 14;

Question: That the words "certificate of standards" be as defined in the Interpretation to this Act, put and agreed to.

"Commissioner" means the Commissioner of a State responsible for health;

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

"communicable disease" means a disease resulting from an infection due to pathogenic agents or toxins generated by the infection, following the direct or indirect transmission of the agents from the source to the host;

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

"Constitution" means the Constitution of the Federal Republic of Nigeria, 1999;

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

"death" means brain death;

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

"embryo" means a human offspring in the first eight weeks from conception;

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

"Federal Ministry" means the Federal Ministry of Health;

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

"gamete" means either of the two generative cells essential for human reproduction;

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

"gonad" means a human testis or human ovary;

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

"health agency" means any person/or entity other than a health establishment—

(*a*) whose business involves the supply of health care personnel to users or health establishments;

(*b*) who employs health care personnel for the purpose of providing health services; or

(*c*) who procures health care personnel or health services for the benefit of a user, and includes a temporary employment service involving health workers or health care providers;

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

"health care personnel" means health care providers and health workers;

Question: That the words "health care personnel" be as defined in the Interpretation to this Act, put and agreed to.

"health care provider" means a person providing health services under Act of Law;

Question: That the words "health care provider" be as defined in the Interpretation to this Act, put and agreed to.

"health establishment" means the whole or part of a public or private institution, facility, building or place, whether for profit or not, that is operated or designed to provide inpatient or outpatient treatment, diagnostic or therapeutic interventions, nursing, rehabilitative, palliative, convalescent, preventative or other health service under section 13;

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

"health research" includes any research which contributes to knowledge of—

(*a*) the biological, clinical, psychological or social processes in human beings;

(*b*) improved methods for the provision of health services;

(*c*) human pathology;

(*d*) the causes of disease;

(*e*) the effects of the environment on the human body;

(*f*) the development or new application of pharmaceuticals, medicines and related substances; and

(g) the development of new applications of health technology;

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

"health research ethics committee" means any committee established under section 35;

Question: That the words "health research ethics committee" be as defined in the Interpretation to this Act, put and agreed to.

"health services" means health care services that are preventive, protective, promotive, curative and rehabilitative in respect of physical mental and social well being;

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

"health technology" means machinery or equipment that is used in the provision of health services, but does not include medicine as defined in the Drugs and Related Products Registration etc Act. No. 19 of 1993;

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

"health worker" means any person who is involved in the provision of health services to a user, but does not include a health care provider;

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

"hospital" means a health establishment which is classified as a hospital by the Minister under section 13;

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

"Minister" means the Minister charged with responsibility for matters relating to health;

Question: That the word "Minister" in the Interpretation to this Act, put and agreed to.

"National Council on Health" means the Council established by section 4:

Question: That the words "National Council on Health" be as defined in the Interpretation to this Act, put and agreed to.

"national health policy" means all policies relating to issues of national health as approved by the Federal Executive Council on the advice of the National Council on Health through the Minister;

Question: That the words "national health policy" be as defined in the Interpretation to this Act, put and agreed to.

"National Health Research Committee" means the Committee established under section 32;

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

"National Health Research Ethics Committee" means the Committee established under section 34;

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

"National health system" means the system within the Federal Republic of Nigeria, whether in the public or private sector, concerned with the financing, provision or delivery and regulation of health services;

Question: That the words "National health system" be as defined in the Interpretation to this Act, put and agreed to.

"non-communicable disease" means a disease or health condition that cannot be contracted from another person, an animal or directly from the environment;

Question: That the words "non-communicable disease" be as defined in the Interpretation to this Act, put and agreed to.

"norm" means a statistical normative rate of provision or measurable target outcome over a specified period of time;

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

"NPHCDA" means the National Primary Health Care Development Agency established under section 11;

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

"Office of Standards Compliance" means the Office established under this Bill;

Question: That the words"Office of Standards Compliance" be as defined in the Interpretation to this Act, put and agreed to.

"oocyte" means a developing human egg cell;

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

"organ" means any part of the human body adapted by its structure to perform any particular vital function, including the eye and its accessories, but does not include skin and appendages, flesh, bone, bone marrow, body fluid, blood or a gamete;

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

"Permanent Secretary" means the administrative head of the Federal Ministry of Health or a State Ministry of Health;

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

"premises" means any building, structure or tent together with the land on which it is situated and the adjoining land used in connection with it and includes any land without any building, structure or tent and any vehicle, conveyance or ship;

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

"prescribed" means prescribed by regulation made under section 61;

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

"primary health care services" means such health services as may be prescribed by the Minister to be primary health care services;

Question: That the words"primary health care services" be as defined in the Interpretation to this Act, put and agreed to.

"private health establishment" means a health establishment that is not owned or controlled by an organ of state;

Question: That the words "private health establishment" be as defined in the Interpretation to this Act, put and agreed to.

"public health establishment" means a health establishment that is owned or controlled by a government body;

Question: That the words "public health establishment" be as defined in the Interpretation to this Act, put and agreed to.

"rehabilitation" means a goal-orientated and time-limited process aimed at enabling impaired persons to reach an optimum mental, physical or social functional level;

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

"State Ministry" means any State Ministry responsible for health;

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

"Statutory Health Professional Council" means a professional regulatory body established by an Act or Law,

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

"Technical Committee" means the committee under section 6;

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

"tertiary hospital" means a public or private hospital approved by the National Tertiary Hospital Committee to provide health services at a tertiary specialist level of care;

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

"this Bill" includes any regulation made thereunder;

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

"tissue" means human tissue, and includes flesh, bone, a gland, an organ, skin, bone marrow or body fluid, but excludes blood or a gamete;

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

"use", in relation to tissue, includes preserve or dissect;

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

"user" means the person receiving treatment in a health establishment, including receiving blood or blood products, or using a health service, and if the person receiving treatment or using a health service is—

(*a*) below the majority age, ''user'' includes the person's parent or guardian or another person authorised by law to act on the first mentioned person's behalf; or incapable of taking decisions, ''user'' includes the person's spouse or, in the

(*b*) absence of such spouse, the person's parent, grandparent, adult child, brother, sister, or another

(*c*) person authorised by law to act on the first mentioned person's behalf;

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

"zygote" means the product of the union of a male and a female gamete.

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

"reproductive cloning of a human being" means the manipulation of genetic material in order to achieve the cloning of a human being and includes nuclear transfer or embryo splitting for such purpose; and

Question: That the words"reproductive cloning of a human being" be as defined in the Interpretation to this Act, put and agreed to.

"therapeutic cloning" means the manipulation of genetic material from adult, zygotic or embryonic cells in order to alter, for therapeutic purposes, the function of cells or tissues.

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

"Reasonable Cause" means any extenuating circumstance that prevents the healthcare provider, health worker or health establishment from providing emergency medical treatment to a person.

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

Committee's Recommendation:
That the provision in Clause 66 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 66 do stand part of the Bill, put and agreed to.

Clause 67: Short Title.
This Bill may be cited as the National Health Bill 2014.

Committee's Recommendation:
That the provision in Clause 67 be retained (*Senator Ifeanyi A. Okowa — Delta North*) — *Agreed to.*

Question that Clause 67 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Health, Primary Healthcare on the National Health Bill 2014 and approved as follows:

Clauses 49 - 58	—	As Recommended
Clauses 59 - 60	—	As Amended
Clauses 61 - 67	—	As Recommended

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

12. Committee on Ethics, Privileges and Public Petitions:
Report on the Unlawful dismissal of Mr. Blessing Onoride Unata from Service by Total E and P Nigeria Limited:

Consideration of Report deferred to another Legislative Day.

13. War Crimes Bill 2014 (SB. 183):

Consideration of Bill deferred to another Legislative Day.

14. Nigerian Railway Corporation Act Cap R129 LFN 2011 (Repeal and Re-enactment) Bill 2014 (SB. 329):

Consideration of Bill deferred to another Legislative Day.

15. Adjournment:
Motion made: That the Senate do now adjourn till Thursday, 20th February, 2014 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:44 *p.m.*

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