SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 25th September, 2014

1. The Senate met at 10:46 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 24th September, 2014.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(i) Turbaning Ceremony:
The Senate President announced the turbaning ceremony of Rt. Hon. Aminu Waziri Tambuwal, Speaker, House of Representatives as the Mutawalle of Sokoto on Saturday, 27th September, 2014. The Senate delegation would be led by the Deputy Senate President.

(ii) Invitation:
The Senate President read a letter from Senator Enyinnaya H. Abaribe (*Abia South*) as follows:

Senator H. Enyinnaya Abaribe
Abia South Senatorial District, Abia State
National Assembly Complex

24th September, 2014

Distinguished Senators

Thro;

Senator David Mark,
President of the Senate,
National Assembly,
Abuja.

LETTER OF INVITATION

May I use this opportunity to invite all distinguished Senators to the 2nd "Made in Aba Fair' holding in Abuja from the 6th to 10th October, 2014 at ThisDay Dome, Central Area, Near Federal Secretariat, Abuja.

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This fair is to showcase and encourage our local manufacturing in the country through Made in Aba exhibition.

The products being showcased will make you proud of our domestic brand and patronage from local end users will boost employment, enhance our economy while providing exports beyond oil and gas.

While looking forward to welcome you to the fair be assured that your attendance in support of our people and their entrepreneurship/vocational skills would provide the bedrock for Nigeria's Industrial revolution.

Please accept the assurances of my highest regard.

(Signed)
Senator Enyinnaya Abaribe
(Abia South)

(iii) Acknowledgment:
The Senate President acknowledged the presence of Councilors of Bassa Local Government Area of Plateau State who were in the gallery to observe Senate Proceedings.

4. Committee on Aviation:
Report on the screening of nominee:
Motion made: That the Senate do receive the Report of the Committee on Aviation, on the screening of Captain Muhktar Usman for appointment as Director-General of the Nigeria Civil Aviation Authority (*Senator Hope O. Uzodimma — Imo West*).

Question put and agreed to.

Report Laid.

5. Conference Committee:
Report on the National Health Bill 2014 (SB.215):
Motion made: That the Senate do receive the Report of the Conference Committee on National Health Bill 2014 (*Senator Ifeanyi A. Okowa — Delta North*).

Question put and agreed to.

Report Laid.

6. Committee on Judiciary, Human Rights and Legal Matters:
Report on the screening of nominee:
Motion made: That the Senate do consider the Report of the Committee on Judiciary, Human Rights and Legal Matters, on the screening of Hon. Justice Chima Centus Nweze, JCA for appointment as a Justice of the Supreme Court of Nigeria (*Senator Umaru Dahiru — Sokoto South*).

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 Judiciary, Human Rights and Legal Matters, on the screening of Hon. Justice Chima Centus Nweze, JCA for appointment as a Justice of the Supreme Court of Nigeria.

Nominee recommended for confirmation:
Hon. Justice Chima Centus Nweze, JCA — *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 Judiciary, Human Rights and Legal Matters, on the screening of Hon. Justice Chima Centus Nweze, JCA as a Justice of the Supreme Court of Nigeria 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 Hon. Justice Chima Centus Nweze, JCA as a Justice of the Supreme Court of Nigeria?" — *Resolved in the Affirmative.*

Nomination of Hon. Justice Chima Centus Nweze, JCA as a Justice of the Supreme Court of Nigeria accordingly confirmed.

7. **Joint Committee on Finance; and Local and Foreign Debts:**
Report on the External Borrowing of not more than One Billion US Dollars (USD 1B):
Motion made: That the Senate do consider the Report of the Joint Committee on Finance: and Local and Foreign Debts on the request of Mr. President Commander-in-Chief of the Armed Forces of the Federation, for External Borrowing of not more than One Billion US Dollars (USD lB) to tackle the security challenges in the Country (*Senator Ahmed M. Makarfi — Kaduna North*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution:
Question: That the Senate do approve the External Loan in kind of One Billion Dollars (USD lB) to tackle the ongoing security challenges — *Agreed to.*

Resolved:
That the Senate do approve the External Loan in kind of One Billion Dollars (USD lB) to tackle the ongoing security challenges***(S/Res/010/04/14).***

8. Joint Committee on Judiciary, Human Rights and Legal Matters; and Interior: *Report on the Criminal Justice (Release from Custody) Special Provisions Act (Amendment) Bill 2014 (SB. 222):*

Motion made: That the Senate do consider the Report of the Joint Committee on Judiciary, Human Rights and Legal Matters; and Interior on the Criminal Justice (Release from Custody) Special Provisions Act (Amendment) Bill 2014 (*Senator Umaru Dahiru — Sokoto South*).

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 A BILL FOR AN ACT TO AMEND THE CRIMINAL JUSTICE (RELEASE FROM CUSTODY) (SPECIAL PROVISIONS) ACT CAP C 40 LAWS OF THE FEDERATION OF NIGERIA 2004, AND OTHER RELATED MATTERS THEREIN, 2014

Clause 1: Power of Chief Justice and Chief Judges to order release of persons detained in prisons in certain cases:

(1) Where, in respect of any person detained in any Nigeria, not being a person detained in execution of a sentence of a court or tribunal duly constituted by law, the Chief Justice of Nigeria or the Chief Judge of a State is satisfied that the —

Amendment Proposed:

Leave out the word "Nigeria" in line 1, and *insert* the word "Nigerian Prison" instead thereof *(Senator Ike Ekweremadu — Enugu West)*.

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

(a) Detention of that person is manifestly unlawful; or

(b) Person detained has been in custody, whether on remand or otherwise, for a period equivalent to one third of the maximum period of imprisonment which the person detained could have served had he been convicted of the offence in respect of which he was detained;

(c) The Controller-General of Prisons or his representative shall prepare and forward quarterly returns of the entire inmates of all prisons facility in the country to the Chief Justice of Nigeria, Chief Judge of the Federal High Court and Chief Judges of the states and of the Federal Capital Territory and thereby apply for the release order in respect of persons detained under Section 1 of this Act;

(d) the Controller General may while forwarding the returns in sub paragraph "C" above recommend the release of inmates who in his opinion qualify for release under any of the circumstances mentioned in sub paragraphs (a) and (b); and

(e) the Chief Justice or the Chief Judges may schedule at least quarterly visits to prisons in the exercise of the powers conferred under this Act.

(2) The Chief Justice or the Chief Judge may issue an order of release to the Controller-General of Prisons who shall on receipt of the order release the person named therein.

(3) In this section the "Controller-General of Prisons" has the same meaning as in the Prisons Act (*Senator Umaru Dahiru — Sokoto South*).

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

Clause 2: **Short Title:**
This Bill may be cited as the Criminal Justice (Release from Custody) (Special Provisions) Act (Amendment) Bill 2014.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Umaru Dahiru — Sokoto South*) — *Agreed to.*

Question that Clause 2 *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 considered the Report of the Committee on Judiciary, Human Rights and Legal Matters; and Interior on the Criminal Justice (Release from Custody) Special Provisions Act (Amendment) Bill 2014 and approved as follows:

Clause 1	—	As Amended
Clause 2	—	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 *(Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. Committee on Banking, Insurance and Other Financial Institutions:
Report on the Asset Management Corporation of Nigeria Act 2010 (Amendment) Bill 2014 (SB. 284):

Consideration of Report deferred to another Legislative Day.

11. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 30th September, 2014 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:16 *p.m.*

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