SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 11th November, 2015

1. The Senate met at 11:08 a.m. The Deputy Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 10th November, 2015.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(a) ***Retreat:***
The Deputy Senate President read a letter from Senator Samuel N. Anyanwu (*Imo East*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON ETHICS, PRIVILEGES &PUBLIC PETITIONS
NATIONAL ASSEMBLY COMPLEX

11th November, 2015

His Excellency,
The President of the Senate,
National Assembly,
Abuja.

Committee Retreat in Lagos

I write to inform Your Excellency that the Senate Committee on Ethics, Privileges and Public Petitions would be proceeding on a Retreat to Lagos as follows:

Date:	*Thursday, 12th - Sunday, 15th November, 2015*
Venue:	*Sheraton Lagos Hotel, Ikeja*
Time:	*9:00am - 5:00pm daily.*

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Thank you, sir, for your attention.

(Signed)
Senator Samuel N. Anyanwu
Chairman

(b) Delegation to Plateau:
The Deputy Senate President read a letter from Senator Emmanuel Bwacha (*Taraba South*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA

November 11, 2015

The Senate President,
Senate Chamber,
National Assembly,
Abuja.

Announcement

The Senate delegation to Plateau State to commiserate with the family of Late Senator Gyang Pwajok, the people and Government of Plateau State, will depart from Thursday 12th November, 2015 and return Friday, 13th November, 2015.

Senators will depart from New Senate Wing by 2:00 p.m. prompt from Abuja to Jos.

(Signed)
Senator Emmanuel Bwacha
Leader of Delegation

(c) Acknowledgement:
The Deputy Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Members of Students' Union Government, Kano University of Science and Technology, Wudil, Kano State; and

(*ii*) Members of Lord Denning Chambers, Faculty of Law, Benue State University, Makurdi, Benue State.

4. Presentation of Bill:
Federal Capital Territory University of Science and Technology, Abaji, (Establishment, etc.) Bill, 2015 (SB. 59) — *Read the First Time.*

5. Committee on Ethics, Privileges and Public Petitions:
Report on a Petition from Engr. Adamu Suleiman Yakubu against the National Universities Commission (NUC) :
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions on a Petition from Engr. Adamu Suleiman Yakubu against the National Universities Commission (NUC) for alleged unlawful dismissal from service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

6. Committee on Ethics, Privileges and Public Petitions:
Report on a Petition from Sergeant Amos Olaniyan against the Nigeria Police Force:
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions on a Petition from Sergeant Amos Olaniyan against the Nigeria Police Force, for alleged suspension for twenty-one (21) years (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

7. Ad-hoc Committee on Import Duty Waivers, Concessions and Grants:
Report on the lifting of Ban on Rice Importation through land borders by the Nigeria Customs Service:
Motion made: That the Senate do receive the Report of the Ad-hoc Committee on Import Duty Waivers, Concessions and Grants on the lifting of Ban on Rice Importation through land borders by the Nigeria Customs Service (*Senator Muhammad A. Aliero — Kebbi Central*).

Question put and agreed to.

Report Laid.

8. 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. William Babatunde Fowler for appointment as Executive Chairman of the Federal Inland Revenue Board (*Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Finance to report within one (1) week.

9. 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 Managing Director and Executive Directors of the Asset Management Corporation of Nigeria:

S/N.	Name	Designation
(*i*)	Ahmed Lawan Kuru	Managing Director
(*ii*)	Kola Ayeye	Executive Director
(*iii*)	Eberechukwu Fortunate Uneze	Executive Director
(*iv*)	Aminu Ismail	Executive Director

(*Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Banking, Insurance and Other Financial Institutions to report within one (1) week.

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 Engr. Professor Umaru Garba Danbatta for appointment as Executive Vice Chairman of the Nigerian Communications Commission (*Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Communications to report within one (1) week.

11. 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 Alhaji Nurudeen Usman Kangiwa for appointment as Commissioner (*Kebbi State*) in the National Population Commission (*Senate Leader*).

Consideration of Request deferred to another Legislative Day.

12. Motions:

(a) Abuse and Mismanagement of the Treasury Single Account Regime:

Motion made: That the Senate notes the importance of the introduction of the Treasury Single Account which is in compliance with the provisions of Section 80 of the 1999 constitution as amended;

appreciates the President and Commander-in-Chief, President Muhammadu Buhari for taking the bold step at introducing the Treasury Single Account;

aware that the essence of the Treasury Single Account is to prevent a situation whereby the revenues of the Federal Government is handled and kept by different bodies or spread in various accounts outside the CBN;

aware also that in pursuance of this Treasury Single Account, the Federal Government on 15th September, 2015 directed all its MDAs to close their various accounts with commercial banks and pay all revenues into its account with the CBN under the policy of Treasury Single Account (TSA);

aware also that by the policy directive, all revenue generating agencies of the Federal Government such as the Nigerian Customs Service, the Federal Inland Revenue Service, Nigerian National Petroleum Corporation, Bureau of Public Enterprises, etc are enjoined to pay all revenues collected for and on behalf of the Federal Government into the Consolidated Revenue Fund forthwith;

observes that in the course of the operations of the Treasury Single Account, the Federal Government on the 15th of September, 2015 mopped up the sum of 2.5 trillion Naira through its e-collection agent called REMITA who charges 1% of all monies passing through it, the implication of which 1% of the 2.5 trillion mopped up on the 15th September, 2015 alone amounted to 25 billion naira largesse to REMITA for doing nothing;

observes that the appointment of REMITA as an agent for the operations of the Treasury Single Account negates and contravenes section 162(1) of the 1999 constitution as amended which provides that - "The Federation shall maintain a Special Account to be called "the Federation Account" into which all revenue collected by the government of the Federation, except the proceeds from the personal income tax of the personnel of the Armed Forces of the Federation, the Nigeria Police Force, the Ministry or Department of government charged with Foreign Affairs and the residents of the FCT, Abuja" and going by this provision all revenues accruing to the Federal Government of Nigeria ought to be paid directly to the said Fund or Account as the case may be;

aware that by the above provisions, the CBN is the Sole Institution that is mandated to collect and disburse monies on behalf of the Federal Government and where it has no branch, it may appoint another bank as agent to perform the function of collections and disbursement of revenue on behalf of the Government of the Federation, using REMITA who is not a registered Bank completely offends the CBN Act;

aware also that going by the provisions of the BOFIA Act 2007 which stipulates that:

(i) No persons shall carry out any banking Business in Nigeria except it is a company duly incorporated in Nigeria and holds a valid license under the Act;

(ii) Any person who transacts business without a valid license under this Act is guilty of an offence and liable on conviction to imprisonment for a term not exceeding ten (10) years or to a fine of two million (₦2,000,000) naira or to both imprisonment and fine; and

The activities of REMITA is a gross violation of the BOFIA Act and another attempt of ripping Nigerians of tax payers' money that would have been channeled to other sectors of the national economy.

Accordingly resolves to:

(*i*) commend Mr. President Commander-in-Chief of the Armed Forces of the Federation, for the introduction of the Treasury Single Account (TSA);

(*ii*) mandate the Committees on Finance; Banking and other Financial Institutions; and Public Accounts to carry out a holistic investigation on the matter and report back in Four (4) weeks (*Senator Dino Melaye — Kogi West*).

Debate:

(SENATE PRESIDENT IN CHAIR)

Proposed Resolution (i):

Question: That the Senate do commend Mr. President Commander-in-Chief of the Armed Forces of the Federation, for the introduction of the Treasury Single Account (TSA) — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do mandate the Committees on Finance; Banking and other Financial Institutions; and Public Accounts to carry out a holistic investigation on the matter and report back in Four (4) weeks.

Amendment Proposed:

Leave out the word and figure "Four (4)" in line 3, and *insert* the word and figure "Two (2)" instead thereof (*Senator Peter O. Nwaoboshi — Delta North*).

Question that amendment be made, put and agreed to.

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

"Urge the Central Bank of Nigeria and the Federal Ministry of Finance to suspend further payments to REMITA pending the completion of investigation by the Senate (*Senator Olaka J. Nwogu — Rivers South-East*).

Question that amendment be made, put and agreed to.

(iii) urge the Central Bank of Nigeria and the Federal Ministry of Finance to suspend further payments to REMITA pending the completion of investigation by the Senate ***(S/Res/045/01/15)***.

(b) JAMB's New Admission Policy:

Consideration of Motion deferred to another Legislative Day.

(c) Illegal Mining of the Nation's Solid Minerals:

Consideration of Motion deferred to another Legislative Day.

(d) Sustainable Development Goals: Take-home from the Fourth World Conference of Speakers of Parliament 2015:

Consideration of Motion deferred to another Legislative Day.

13. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition from Mr. Nnoke Chinedum against Macmillan Nigeria Publishers Limited:

Consideration of Report deferred to another Legislative Day.

14. Ad hoc Committee on Local and Foreign Debts:
Report on the approval of Lagos State Development Policy Operation II (DPO II) loan of US$ 200 million:
Motion made: That the Senate do receive the Report of the Ad hoc Committee on Local and Foreign Debts for special approval of Lagos State Development Policy Operation (DPO) loan (Budget Support) *(Senator Kabiru I. Gaya — Kano South)*.

Question put and agreed to.

Report Laid.

15. Closed Session:
Motion made: That the Senate do resolve into a Closed Session to deliberate on matters relevant to the workings of the Senate *(Senate Leader)*.

Question put and agreed to.

Closed Session — 1:11 p.m.

Open Session — 1:45 p.m.

The Senate President reported that the Senate in a Closed Session discussed issues affecting the smooth running of the Senate in particular and the National Assembly in general.

16. Forestry Research Institute of Nigeria Act, 1973 (Repeal and Re-enactment) Bill 2015 (SB.014):

Consideration of Bill deferred to another Legislative Day.

17. Use of Information in Electronic Transactions Bill 2015 (SB. 015):

Consideration of Bill deferred to another Legislative Day.

18. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 17th November, 2015 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:58 *p.m.*

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.