SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 2nd December, 2015

1. The Senate met at 10:55 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 1st December, 2015.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(a) ***Wedding Notification:***
The Senate President read a letter from Senator Mohammed D. Goje (*Gombe Central*) as follows:

SENATOR MOHAMMED DANJUMA GOJE
(Sarkin Yakin Gombe)
GOMBE CENTRAL SENATORIAL DISTRICT

1st December, 2015

His Excellency,
Senator Abubakar Bukola Saraki,
President of the Senate.

Your Excellency,

WEDDING NOTIFICATION AND INVITATION

Further to my earlier letter to you on the above mentioned issue, I am pleased to remind you that the wedding Fatiha of my daughter's marriage, Zakiyya Danjuma Goje In sha Allah, which comes up this Friday, 4th December, 2015 at the National Mosque, Abuja.

The time is 2:30pm prompt.

I would appreciate if you can convey this information to all our colleagues. Attendance, Prayers or both will be highly appreciated.

Yours Sincerely,

(Signed)
Sen. Mohammed Danjuma Goje.

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

(*i*) Members of National Association of Public Administration Students of Federal Polytechnic Nasarawa, Nasarawa State; and

(*ii*) Senator Donzella James from Georgia State Senate, United States of America, and her Image Wellness Coach, Queen Blessing Itua.

4. Petitions:

(*i*) Rising on Rule 41, Senator Amori Ighoyota *(Delta Central)* drew the attention of the Senate to a petition from his constituent, Mr. Donald E. Ovie, on wrongful disengagement by the Nigerian National Petroleum Corporation (NNPC). 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)], to report within two(2) weeks.

(*ii*) Rising on Rule 41, Senator Jibrin I. Barau *(Kano North)* drew the attention of the Senate to a petition from his constituents, Yelwa Haladu Ibrahim and Munzali Umar, on the violation of Civil Service Rules and Regulations on the appointment of Mr Itu I. Itu as Director of the Federal Government Printing Press by the Federal Civil Service Commission. 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)], to report within two(2) weeks.

5. Ad hoc Committee on Import Duty Waivers, Concessions and Grants:
Report on the Nigeria Customs Service lifting of Ban on Rice Importation through Land Borders:
Motion made: That the Senate do consider 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 Donald O. Alasoadura — Ondo Central*).

Question put and greed to.

Report Presented.

Debate:

Proposed Resolution:
Question: That the Senate do urge the Federal Government to direct the Nigeria Customs Service to suspend the lifting of the ban of importation of rice through the land borders — *Agreed to.*

Resolved:
That the Senate do urge the Federal Government to direct the Nigeria Customs Service to suspend the lifting of the ban of importation of rice through the land borders ***(S/Res/060/01/15)***.

6. Motions:

(a) Demise of Senator (Chief) Donald Dick Etiebet, PhD, OFR:

Motion made: That the Senate notes with sadness and a great sense of loss, the demise of former Senator of the Federal Republic of Nigeria (1979 -1983), Senator Donald Dick Etiebet at the age of 84;

notes also that Senator Donald Dick Etiebet, OFR, was born in Ikot Ekpuk, Oruk Anam LGA of present day Akwa Ibom State, and attended various institutions including Ibesit Central School, Oruk Anam; St. Augustine's Teacher's College, Urua Inyang, Ika LGA; Holy Family College, Oku Abak; State College, Ikot Ekpene; The Nigerian College of Science and Technology, Ibadan; the University of Lagos, Akoka and the Nigeria Law School, Lagos;

aware that Senator D. D. Etiebet served his country in many capacities including being elected Senator of the Federal Republic representing Ikot Ekpene Senatorial District between 1979 - 1983 where he distinguished himself as the Chairman of the Public Service Committee; Member, Rules and Business Committee and Member, Petroleum and Energy Committees of the then Senate;

further aware that due to his meritorious services, he was elected the Governor of the old Cross River State under the platform of the National Party of Nigeria (NPN), 1983 and was sworn into office on 1st October, 1983;

observes that his tenure as Governor was short-lived due to the military coup of December 31st, 1983, though he spent a longer period in detention after the coup for the love of his nation;

recalls that Senator Etiebet made other contributions to his nation as member of the Constituent Assembly between 1977 - 1978; was also a member of the Constitutional Conference, Abuja, between 1994 - 1995 and was popularly referred to as "Akpan Annang";

further aware that Senator D. D. Etiebet was a mobilizer of men and resources, a unifying force and a strong voice in the events leading up to the eventual creation of Akwa Ibom State from the then Cross River State; and

cognizant of the immense contributions of Senator D. D. Etiebet to the political development of Nigeria which were not lost on all Nigerians, the Federal Government of Nigeria conferred on him, the National Honour of the Officer of the Federal Republic.

Accordingly resolves to:

(*i*) observe a minute silence in honour of the departed former Senator and former Governor;

(*ii*) send a high-powered delegation to condole with the family, people and Government of Akwa Ibom State; and

(*iii*) urge the Federal Government of Nigeria, the Cross River and Akwa Ibom State Governments, to immortalize Senator D. D. Etiebet by naming a National or State monument after him as a mark of honour (*Senator Godswill O. Akpabio — Akwa Ibom North-East*).

Debate:

Proposed Resolution (i):
Question: That the Senate do observe a minute silence in honour of the departed former Senator and former Governor — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do send a high-powered delegation to condole with the family, people and Government of Akwa Ibom State — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do urge the Federal Government of Nigeria, the Cross River and Akwa Ibom State Governments, to immortalize Senator D. D. Etiebet by naming a National or State monument after him as a mark of honour — *Agreed to.*

Resolved:
That the Senate do:

(*i*) observe a minute silence in honour of the departed former Senator and former Governor;

(*ii*) send a high-powered delegation to condole with the family, people and Government of Akwa Ibom State; and

(*iii*) urge the Federal Government of Nigeria, the Cross River and Akwa Ibom State Governments, to immortalize Senator D. D. Etiebet by naming a National or State monument after him as a mark of honour ***(S/Res/061/01/15)***.

One Minute silence accordingly observed in honour of the deceased.

Senate Delegation to Akwa-Ibom State:
The Senate President named the following Senators to condole with the family, people and Government of Akwa-Ibom State over the death of Senator D. D. Etiebet:

(*i*)	Senator Barnabas A. I. Gemade	—	Leader
(*ii*)	Senator Adeyemi O. Tejuosho	—	Member
(*iii*)	Senator Aliyu M. Wamakko	—	Member
(*iv*)	Senator Mohammed Hassan	—	Member
(*v*)	Senator Enyinnaya H. Abaribe	—	Member
(*vi*)	Senator David Umaru	—	Member
(*vii*)	Senator Godswill O. Akpabio	—	Member
(*viii*)	Senator Nelson A. Efiong	—	Member
(*ix*)	Senator Albert B. Akpan	—	Member
(*x*)	Senator Rose O. Oko	—	Member
(*xi*)	Senator John O. Enoh	—	Member
(*xii*)	Senator Gershom O. Bassey	—	Member

(b) Gross Mismanagement of Education Tax Fund 2011 - 2015:
Motion made: That the Senate notes that Education Tax Fund is fund generated from education tax that is utilized to improve the quality of education in Nigeria;

further notes that Tertiary Education Trust Fund (Establishment, etc) Act, 2011 is the Act that repealed the Education Tax Act CAP E4 Laws of the Federation of Nigeria, 2004 and Education Trust Fund charged with the responsibility for imposing, managing and disbursing the tax to public tertiary institutions in Nigeria;

notes also that Section 6(a) of Tertiary Education Trust Fund (Establishment, etc) Act 2011 stated that the Board of Trustees shall monitor and ensure collection of education tax by the service and ensure "transfer of same to the fund";

aware that Section 7(2) of Tertiary Education Trust Fund (Establishment, etc) Act 2011 states that the Board of Trustees shall administer, manage and disburse the tax imposed by the Act on the basis of equity among the 6 geo-political zones of the Federation in the case of special intervention;

further aware that some institutions get multiple allocation of special intervention while institutions that are their peers do not receive any;

concerned that about ₦200 billion of the education tax collected between 2012 and 2013 were diverted to other unknown and unspecified uses not recognized in or permitted under the Act and the diverted funds are to be returned into the Fund;

further concerned that the Board granted a loan to the Federal Ministry of Education and also organized a workshop and pre-retreat in U.S and Kenya in 2014 and 2015 without a recourse to guidelines of the Act;

also concerned that a whooping sum of about ₦500 million was budgeted for advertising and media in 2015 budget which contravene the "Rehabilitation, Restoration and Consolidation" of tertiary education in Nigeria in accordance with Section 3(1) of the Tertiary Education Trust Fund (Establishment, etc) Act 2011; and

worried that after spending nearly ₦1 trillion between 2011 - 2015 by Tetfund, the state of infrastructure in our tertiary education institutions is still very shabby, dilapidated and mostly run down.

Accordingly resolves to:
mandate the Committee on Tertiary Institutions and Tetfund to invite the Executive Secretary of Tetfund to appear before the Committee to explain and give clarity on the issue of misappropriation of the fund in the Education Tax Fund from 2011 - 2015 and report to the Senate within one (1) week (*Senator Abdullahi A. Sabi —Niger North*).

Debate:

Proposed Resolution:
Question: That the Senate do mandate the Committee on Tertiary Institutions and Tetfund to invite the Executive Secretary of Tetfund to appear before the Committee to explain and give clarity on the issue of misappropriation of the fund in the Education Tax Fund from 2011 - 2015 and report to the Senate within one (1) week.

Amendment Proposed:
Immediately after the word "within" in line 4, *leave out* the words "one (1) week" and *insert* the words "four (4) weeks" instead thereof (*Senator Mao A. Ohuabunwa — Abia North).*

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

Resolved:
That the Senate do mandate the Committee on Tertiary Institutions and Tetfund to invite the Executive Secretary of Tetfund to appear before the Committee to explain and give clarity on the issue of misappropriation of the fund in the Education Tax Fund from 2011 - 2015 and report to the Senate within four (4) weeks ***(S/Res/062/01/15)***.

7. **Frivolous Petitions Bill 2015 (SB. 143):**
Motion made: That a Bill for an Act to Prohibit Frivolous Petitions; and other matters connected therewith, 2015 be read the Second Time (*Senator Bala Ibn Na'Allah — Kebbi South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within Four (4) weeks.

8. **Integration of Persons with Disabilities into the Society (Establishment, etc.) Bill 2015 (SB. 022):**
Motion made: That a Bill for an Act to Ensure full Integration of Persons with Disabilities into the society and to establish a National Commission for Persons with Disabilities and vest it with the responsibilities for their Education, Health Care, Protection of their Social, Economic and Civil Rights 2015 be read the Second Time (*Senator Francis A. Alimikhena — Edo North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Sports and Youth Development; and Poverty Alleviation and Social Welfare to report within Four (4) weeks.

9. **Adjournment:**
Motion made: That the Senate do now adjourn till Thursday, 3rd December, 2015 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:55 *p.m.*

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