8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 58

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 16th February, 2016

1. The Senate met at 11:03 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 28th January, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Closed Session:**
Closed Session — 11:07 a.m.

Open Session — 11:48 a.m.

The Senate President reported that the Senate in a Closed Session deliberated on issues relating to the 2016 Appropriation Bill and other matters concerning the smooth functioning of the Senate and the National Assembly in General.

4. **Messages from Mr. President:**
The Senate President announced that he had received two letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(a) Vacation:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

5th February, 2016

Distinguished Senator Abubakar Bukola Saraki
Senate President,
National Assembly Complex,
Three Arms Zone,
Abuja.

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Dear Distinguished Senate President,

VACATION

In compliance with Section 145(1) I wish to inform the Distinguished Senate that I will be away on a short vacation from 5th - 10th of February 2016, and while I am away the Vice President will perform the functions of my office.

2. Please accept, as always assurances of my highest esteemed consideration.

Yours Sincerely,
(Signed)
Muhammadu Buhari

(b) Resumption:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

11th February, 2016

Distinguished Senator Abubakar Bukola Saraki
Senate President,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

RESUMPTION OF OFFICE

In compliance with Section 145 of the 1999 Constitution (as amended), I write to intimate the Senate that I have resumed my functions as the President of the Federal Republic of Nigeria with effect from Thursday, 11th February 2016, after my short vacation.

2. Please accept, as always assurances of my esteemed consideration.

Yours Sincerely,
(Signed)
Muhammadu Buhari

5. Announcement:

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 Delta State Students, University of Abuja, Gwagwalada, Abuja;

(*ii*) Staff and Students of St. Louis Secondary School, Bompai, Kano, Kano State;

(*iii*) Staff and Students of Topical International Academy, Bida, Niger State; and

(*iv*) Staff and Students of Supreme Kings and Queens Academy, Keffi, Nasarawa State.

6. Privileges:

Rising on Rules 14 and 15, Senator Isa H. Misau *(Bauchi Central)* drew the attention of the Senate to an interview granted by Senator Kabiru G. Marafa (*Zamfara Central*) in the Punch Newspaper of Sunday, 7th February, 2016 in which he misled the public on the activities of the National Assembly. He said the interview has impugned on his privilege and has smeared the reputation of the Senate as an institution. He therefore, urged the Senate to look into the matter.

Newspaper publication laid and matter referred to the Committee on Ethics, Privileges and Public Petitions to report within one (1) week.

7. Matter of Urgent Public Importance:

Rising on Rules 42 and 52, Senator Suleiman M. Nazif (*Bauchi North*) drew the attention of the Senate on the hike in Electricity Tariff by the Ministry of Power, Works and Housing; Nigerian Electricity Regulatory Commission (NERC); and Distribution Companies (DISCOs). He sought and obtained the leave of the Senate to present the matter forthwith:

That the Senate notes that due process in the extant laws for such increment was not followed in consonance with section 76 of the Power Sector Reform Act, 2005;

observes, that the increase will have a multiplier effect on the Nigerian economy, with manufacturing companies having to pay more for power;

notes, that most consumers are not metered in accordance with the signed Privatization Memorandum of Understanding (MoU) of November 1st 2013, which stipulates that within 18 months gestation period all consumers are to be metered;

observes, that the Distribution Companies (DISCOs) have continued to exploit Nigerians by estimated billing system for the majority of consumers, while deliberately refusing to make pre-paid meters available;

also notes, that privatization in any part of the world is meant to inject fresh funds into the concerned sector, and not to impose ridiculous tariff on helpless masses;

observes, that the increase is only intended to protect the investment of select few and not to serve the interest of Nigerian masses who are already battling with the prevailing economic recession; and

worried that increase in tariff will pave way for additional heavy burden on consumers and coupled with challenges in the economy, it will adversely affect the purchasing power of Nigerian workers and the entire Nigerian masses and by extension, aggravate restiveness in the country.

Accordingly Resolves to:

(*i*) direct the Committee on Labour to carefully review the law establishing NERC, with the principal aim of establishing a strong regulatory body that will ensure proper and pocket friendly billing system in such a way that the consumers and investors will be treated fairly and equitably; and

(*ii*) mandate the Committee on Employment, Labour and Productivity, to call a Public Hearing of Stakeholders, Ministry of Power, Nigerian Electricity Regulatory Commission (NERC), DISCOs and Labour with the aim of re-examining the matter and be able to arrive at a logical conclusion, such that Nigerian workers and the entire Nigerian masses are not short-changed.

Debate:

Proposed Resolution(i):
Question: That the Senate do direct the Committee on Labour to carefully review the law establishing NERC, with the principal aim of establishing a strong regulatory body that will ensure proper and pocket friendly billing system in such a way that the consumers and investors will be treated fairly and equitably — *Negatived.*

Proposed Resolution(ii):
Question: That the Senate do mandate the Committee on Employment, Labour and Productivity, to call a Public Hearing of Stakeholders, Ministry of Power, Nigerian Electricity Regulatory Commission (NERC), DISCOs and Labour with the aim of re-examining the matter and be able to arrive at a logical conclusion, such that Nigerian workers and the entire Nigerian masses are not short-changed.

Amendment Proposed:
Leave out the provision in Proposed Resolution (ii) and *insert* the following instead thereof:
"direct the Senate Committees on Power, Steel Development and Metallurgy; and Employment Labour and Productivity, to call a Public Hearing of Stakeholders" (*Senator Philip T. Aduda — FCT).*

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

Additional Proposed Resolution:
Insert Additional Proposed Resolution as follows:
"urge the Ministry of Power, Works and Housing; Nigerian Electricity Regulatory Commission (NERC); and the Distribution Companies (DISCOs), to suspend the increase and revert to the original tariff forthwith" (*Senator Biodun C. Olujimi — Ekiti South).*

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

Resolved:
That the Senate do:
(*i*) direct the Senate Committees on Power, Steel Development and Metallurgy; and Employment Labour and Productivity, to call a Public Hearing of Stakeholders; and

(*ii*) urge the Ministry of Power, Works and Housing; Nigerian Electricity Regulatory Commission (NERC); and the Distribution Companies (DISCOs), to suspend the increase and revert to the original tariff forthwith ***(S/Res/089/01/16)***.

8. Presentation of Bills:

(*i*) Public Officers Protection Act CAP P41 LFN 2004 (Amendment) Bill, 2016 (SB. 156) — *Read the First Time.*

(*ii*) Federal Capital Territory (FCT) Civil Service Commission (Establishment, etc.) Bill, 2016 (SB. 177) — *Read the First Time.*

(*iii*) National Assembly Budget and Research Office (Establishment, etc.) Bill, 2016 (SB.222) — *Read the First Time.*

(*iv*) Money Laundering (Prevention and Prohibition) Act, 2011 (Repeal and Re-enactment) Bill, 2016 (SB. 223) — *Read the First Time.*

(*v*) Mutual Assistance in Criminal Matters Bill, 2016 (SB. 224) — *Read the First Time.*

9. **Committee on Public Accounts:**
Report on the Auditor-General of the Federation of Nigeria for the year ended 31st December, 2008:
Motion made: That the Senate do receive the Report of the Committee on Public Accounts on the Annual Report of Auditor-General of the Federation of Nigeria for the year ended 31st December, 2008 (*Senator Andy E. Uba — Anambra South*).

Question put and agreed to.

Report Laid.

10. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from PC Bartholomew Joseph against the Nigeria Police Force:
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a Petition from PC Bartholomew Joseph against the Nigeria Police Force for alleged wrongful dismissal from the Force (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

11. **Committee on Appropriations:**
Interim Report on the 2016 Appropriation Bill:
Motion made: That the Senate do receive the Interim Report on the 2016 Appropriation Bill (*Senator Mohammad D. Goje — Gombe Central).*

Question put and agreed to.

Report presented.

By the leave of the Senate an extension of one (1) week was granted to the Sub-Committees on Appropriations to conclude budget hearings.

12. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from contract staff of Total Exploration and Production Nigeria Limited (TEPNG):

Presentation of report deferred to another Legislative Day.

13. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from Mrs Iroezi O. Chinyere against the Federal Medical Centre, Umuahia:

Presentation of report deferred to another Legislative Day.

14. **Joint Committee on Finance; Banking, Insurance and Other Financial Institutions; and Public Accounts:**
Report on the Motion on the Abuse and Mismanagement of the Treasury Single Account (TSA) Regime:

Presentation of report deferred to another Legislative Day.

15. Motions:

(a) The Need to Urgently Seek the Resuscitation of Collapsed and Ailing Industries as Well as the Establishment of New ones to Rejuvenate The Economy:

Consideration of Motion deferred to another Legislative Day.

(b) Non-payment of allowances to Nigerian students studying abroad:

Consideration of Motion deferred to another Legislative Day.

16. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition from Mrs. Patience Edaire against the Federal Polytechnic, Ilaro, Ogun State:

Consideration of Report deferred to another Legislative Day.

17. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition from Mr. Olugbenga Odusanya, GMD/CEO COOD Resources International Limited against the Nigeria Customs Service:

Consideration of Report deferred to another Legislative Day.

18. High Court of the Federal Capital Territory, Abuja (Number of Judges) Act No. 15, 2003 (Amendment) Bill, 2016 (SB. 176):

Consideration of Bill deferred to another Legislative Day.

19. Deep Off Shore and Inland Basin Sharing Contract Cap D3 LFN 2004 (Amendment) Bill, 2016 (SB.119):

Consideration of Bill deferred to another Legislative Day.

20. Nigeria Agricultural Quarantine Service Bill, 2016 (SB. 81):

Consideration of Bill deferred to another Legislative Day.

21. Adjournment:
Motion made: That the Senate do suspend Plenary Sitting to allow the Sub-Committees of Appropriations to further consider the 2016 Appropriation Bill; to resume on Tuesday, 23rd February, 2016 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:48 *p.m.*

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