SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 23rd February, 2016

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

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 16th February, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Message from Mr. President:**
The Senate President announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Extension of the FCT 2015 Statutory Appropriation Act:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

14th February, 2016

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

Dear Distinguished Senate President,

REQUEST FOR AMENDMENT FOR THE EXTENSION OF THE FCT 2015 STATUTORY APPROPRIATION ACT TO 31ST MARCH 2016

I am writing to seek the Senate's approval to extend the Federal Capital Territory Administration (FCTA) 2015 Statutory Appropriation Act to 31st March 2016.

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2. You may recall that the 2015 FCT Appropriation was assented to by my predecessor on 28th May 2015, the delay affected its implementation in respect of Capital Projects and other expenditure. In this connection, numerous payments for critical and essential projects are outstanding.

3. In view of the foregoing, the Senate is invited to note that:-

i. The FCT 2015 Statutory Appropriation assented to on 28th May, 2015, allowed the FCTA only seven (7) months in 2015 for implementation;

ii. To meet its obligations and as permissible by the Constitution, the FCT 2015 Appropriation needs to be extended to 31st March 2016 as that will enable the FCTA to make payments for various critical and essential ongoing projects towards achieving a better performance in the implementation of Projects for the 2015 Statutory Appropriation.

4. I have taken the liberty of attaching a draft for Appropriation (Amendment) Bill 2015 for consideration.

5. While looking forward to your kind approval of my request, please accept, Distinguished President of the Senate, the assurances of my highest esteem at all times.

Yours Sincerely,
(Signed)
Muhammadu Buhari

4. Announcements:

(a) Pending Reports on Bills and Motions:

The Senate President read a letter from Senator Abubakar O. Saraki (*Kwara Central*) as follows:

President of the Senate
Federal Republic of Nigeria

ANNOUNCEMENT

This is to inform the Chairmen of the under listed Committees whose Reports on Bills and Motions are yet to be submitted to the Senate to do so within a week to enable the Senate consider them.

This is in line with the objectives of the Legislative Agenda of the 8th Senate which aims at improving the work of the Legislature.

The Committees are;

S/No	***Committee***	***Report/Subject matter***
1	*Adhoc Committee on Waivers*	*Indiscriminate use and abuse of Waivers for Rice Importation.*
2	*Joint Committees on Health, Agriculture and Rural Development*	*The Ban on Nigeria Agricultural Exports Products by European Union.*

3	*Adhoc Committee on Power*	*The Disconnection of Maiduguri from the National Grid and the General Power Degeneration in Nigeria.*
4	*Committee on Education*	*JAMB's New Admission Policy.*
5	*Committee on Poverty Alleviation*	*Discrimination against Persons with Disabilities (Prohibition) Bill, 2015 (SB.22).*
6	*Committee on Health*	*National Centre for Cancer and Treatment (Establishment etc.) Bill, 2015 (SB.10).*
7	*Committee on Environment*	*Forestry Research Institute of Nigeria (Establishment etc.) Bill, 2015 (SB.14).*
8	*Committee on Drugs & Narcotics*	*Counterfeit and Fake Drugs and Unwholesome Processed Food (Miscellaneous Provision) Amendment Bill, 2015 (SB.55).*
9	*Committee on Banking, Insurance and Other Financial Institutions*	*Bankruptcy and Insolvency Act CAP B2 LFN 2011 (Repeal & Re-Enactment) Bill, (SB. 09).*
10	*Committee on Land Transport*	*National Railway Corporation Act 1955 N129 LFN 2004 (Repeal & Re-Enactment) Bill 2015 (SB.01).*
11	*Committee on Judiciary, Human Rights and Legal Matters*	*Frivolous Petitions (Prohibition, etc.) Bill, 2015 (SB.143).*
12	*Committee on Police Affairs*	*Crime and Criminal Tracking System Bill, 2015 (SB.03).*
13	*Committee on Police Affairs*	*Traffic Warden Service Bill, 2015 (SB.100).*

(Signed)
PRESIDENT OF THE SENATE
23/2/2016

(b) Production of 2016 Senate Calendar:

The Senate President read a letter from Senator Ibrahim A.Gobir (*Sokoto East*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON SENATE SERVICES
National Assembly Complex

The President
Senate of the Federal Republic of Nigeria
National Assembly
Abuja

Your Excellency,

RE: PRODUCTION OF 2016 SENATE CALENDAR

Sequel to my earlier letters on above subject, Distinguished Senators may wish to know that the production of the 2016 Senate Calendar has commenced.

2. A sample of the 2016 Calendar is being circulated in the Chamber and Senators are requested to scrutinize their pictures and information contained therein. Observations are to be made on the attached Comment Sheet in the following format:

(a) Name of Senator;
(b) Constituency;
(c) Comment (if any); and
(d) Remarks

3. Distinguished Senators are implored to strictly observe these procedures to ensure timely delivery of the 2016 calendars

4. Please accept the assurances of my highest regards.

(Signed)
Senator Ibrahim Abdullahi Gobir, PhD
Chairman, Senate Services Committee

(c) Acknowledgement:

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

(*i*) Members of Edo State Students Association, University of Abuja, Gwagwalada, Abuja;

(*ii*) Staff and Students of Shalom Christian Academy, Akwanga, Nasarawa State; and

(*iii*) Staff and Students of Federal Government College Educational Foundation, Bwari, Abuja.

5. Personal Explanations:

(*i*) Rising on Rule 43, Senator Rose O. Oko *(Cross River North)* drew the attention of the Senate to the 2016 Senate Legislative Agenda which was approved by the Senate. She informed the Senate that the Committee on Diaspora and Non-Governmental Organisations had interactive session with the Civil Society Organisations with a view to involve the Civil Society Organisations in non-partisan policy making. She sought the leave of the Senate to lay the Report.

By the leave of the Senate, Report laid.

(*ii*) Rising on Rule 43, Senator Suleiman M. Nazif *(Bauchi North)* drew the attention of the Senate to the referral on the increase in the price of electricity tariff to the Joint Committee on Employment, Labour and Productivity; and Power, Steel Development and Metallurgy. He informed the Senate that the Joint Committee has met with the Stakeholders requesting their inputs in preparation for the Public Hearing.

(*iii*) Rising on Rule 43, Senator Muhammad D. Goje *(Gombe Central)* drew the attention of the Senate to the submission of Report by the Sub-Committees on Appropriations which begins today. He urged the Chairmen of Sub-Committees to adhere to the schedule of submission circulated to the Committees.

6. **Joint Committees on Finance; Public Accounts; and Banking, Insurance and Other Financial Institutions:**
Report on the Abuse and Mismanagement of the Treasury Single Account (TSA):
Motion made: That the Senate do receive the Report of the Committee on Finance in respect of the motion on the abuse and mismanagement of the Treasury Single Account (*Senator John O. Enoh — Cross River Central*).

Question put and agreed to.

Report Laid.

7. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from contract staff of Total Exploration and Production Nigeria Limited (TEPNG):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from contract staff of Total Exploration and Production Nigeria Limited (TEPNG) against Total Exploration and Production Nigeria Limited for unlawful disengagement from service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

8. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from Mrs Iroezi O. Chinyere against the Federal Medical Centre, Umuahia:
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Mrs Iroezi O. Chinyere against the Federal Medical Centre, Umuahia for unlawful dismissal from service by the Centre (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

9. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from Mr. Chuks Ewoh against the Central Bank of Nigeria (CBN):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Mr. Chuks Ewoh against the Central Bank of Nigeria (CBN) for alleged unlawful retirement from the service of the Bank (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

10. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Petition from St. Matthew's Church, Gwarimpa, Abuja against the Federal Housing Authority (FHA):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from St. Matthew's Church, Gwarimpa, Abuja against the Federal Housing Authority (FHA) and the Federal Capital Development Authority (FCDA) for an Unlawful Order to stop work (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

11. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition by eight hundred (800) former staff of Power Holding Company of Nigeria (PHCN) against Kano Electricity Distribution Company (KEDCO):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition by eight hundred (800) former staff of Power Holding Company of Nigeria (PHCN) against Kano Electricity Distribution Company (KEDCO) for improper disengagement and non-payment of outstanding benefits and entitlements (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

12. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition from Dr. George Uboh against the Chairman of the Economic and Financial Crimes Commission (EFCC):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Dr. George Uboh against the Chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Ibrahim Lamorde for alleged financial crimes and corruption (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

13. Committee on Ethics, Privileges and Public Petitions:
Report on the complaint from Senator Isa H. Misau and two others against Senator Kabiru G. Marafa:
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a complaint from Senator Isa H. Misau and two others against Senator Kabiru G. Marafa over a publication in the Sunday Punch of 7th February, 2016 for allegedly misleading the public against the Senate and the National Assembly (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

14. 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:
Motion made: That the Senate notes that the premise on which the present administration was elected was the irrevocable pledge that the country will be positively changed in order to bring succour to millions of impoverished Nigerians;

believes that the change being referred to cannot be achieved unless there is a deliberate state policy backed with action, to change our economy from being dependent solely on oil export to the one that is industrialized;

sad that the real sector of the economy is nearly dead due mainly to the closure of the greatest number of the nation's manufacturing concerns;

convinced that in order to achieve a very sound economy, it is important and necessary that the nation's closed and/or ailing manufacturing entities in Kano; Lagos; Kaduna; Aba, Abia State; Nnewi, Anambra State; Ibadan, Oyo State; Asaba, Delta State; Onitsha,Anambra State; Gusau, Zamfara State; Calabar, Cross-River State; Ota, Ogun State; Ilorin, Kwara State; Katsina; Oshogbo, Osun State; Jos, Plateau State; Maiduguri, Borno State; Benin City, Edo State; Port-Harcourt, Rivers State; Ikot Abasi, Akwa-Ibom State; Ajaokuta, Kogi State; Aladja, Delta State etc. must be revived and sustained;

further convinced that the government should approach and educate Nigerian importers who have the financial wherewithal to invest their resources in the establishment of industries that shall produce the products they usually import into the country in order to strengthen our economy;

persuaded that there is now an urgent need to formulate a work-plan to woo foreign manufacturers whose finished goods are being imported into Nigeria by the Nigerian importers to come and establish their factories in Nigeria; and

notes that it is also important that there is an urgent need to continue to sensitize and encourage our graduate youths and others to establish micro or cottage manufacturing outfits to produce items like toothpicks, toiletries, handkerchiefs etc. in order to boost the economy and further create jobs, etc.

Accordingly resolves to:

(*i*) mandate the Senate Committees on Industries, Privatization and National Planning to undertake an immediate inventory of all closed industries, establish why they collapsed, and proffer solutions on how to revive them and report back within a reasonable period of time as may be prescribed by the Senate;

(*ii*) urge the Legislative and Executive Arms of Government to set up a joint consultative committee with a mandate to contact and woo foreign manufacturers to establish Nigerian branches of their factories;

(*iii*) call on the Federal Government to device ways and means by which it can persuade our high net-worth Nigerians to establish industries rather than to continue with their dependence on importation of foreign goods; and

(*iv*) plead with the government to create an enabling policy that would entice our unemployed youths to embrace and set up cottage industries through the help and encouragement of the government (*Senator Barau I. Jibrin — Kano North*).

Debate:

Proposed Resolution(i):

Question: That the Senate do mandate the Senate Committees on Industries, Privatization and National Planning to undertake an immediate inventory of all closed industries, establish why they collapsed, and proffer solutions on how to revive them and report back within a reasonable period of time as may be prescribed by the Senate — *Agreed to*.

Proposed Resolution(ii):

Question: That the Senate do urge the Legislative and Executive Arms of Government to set up a joint consultative committee with a mandate to contact and woo foreign manufacturers to establish Nigerian branches of their factories — *Agreed to*.

Proposed Resolution(iii):
Question: That the Senate do call on the Federal Government to device ways and means by which it can persuade our high net-worth Nigerians to establish industries rather than to continue with their dependence on importation of foreign goods — *Agreed to*.

Proposed Resolution(iv):
Question: That the Senate do plead with the government to create an enabling policy that would entice our unemployed youths to embrace and set up cottage industries through the help and encouragement of the government — *Agreed to*.

Additional Proposed Resolution:
Insert Additional Proposed Resolution as follows:
"Urge the Committee on Industries to look at the existing law with a view to strengthening it to enhance more productivity" (*Senator Samuel O. Egwu — Ebonyi North)*.

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

Resolved:

(*i*) mandate the Senate Committees on Industries, Privatization and National Planning to undertake an immediate inventory of all closed industries, establish why they collapsed, and proffer solutions on how to revive them and report back within a reasonable period of time as may be prescribed by the Senate;

(*ii*) urge the Legislative and Executive Arms of Government to set up a joint consultative committee with a mandate to contact and woo foreign manufacturers to establish Nigerian branches of their factories;

(*iii*) call on the Federal Government to device ways and means by which it can persuade our high net-worth Nigerians to establish industries rather than to continue with their dependence on importation of foreign goods;

(*iv*) plead with the government to create an enabling policy that would entice our unemployed youths to embrace and set up cottage industries through the help and encouragement of the government; and

(*v*) urge the Committee on Industries to look at the existing law with a view to strengthening it to enhance more productivity***(S/Res/090/01/16)***.

(b) Concern on Unwholesome Practices by Multichoice Nigeria (DSTV):

Consideration of Motion deferred to another Legislative Day.

15. Committee on Ethics, Privileges and Public Petitions:
Report on the Petition from Mrs. Patience Edaire against the Federal Polytechnic, Ilaro, Ogun State:
Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Mrs. Patience Edaire against the Federal Polytechnic, Ilaro, Ogun State on her wrongful disengagement from Service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution:
Question: That since the disengagement of Mrs. Patience Edaire by the Federal Polytechnic, Ilaro was consequent upon her refusal to accept the alternative offered to the fifty (50) staff of the College of the Polytechnic; and her refusal to humbly approach the Rector for reabsorption into the service of the Polytechnic as directed by the Committee, the Senate is unable to further help the situation — *Agreed to.*

Resolved:
That since the disengagement of Mrs. Patience Edaire by the Federal Polytechnic, Ilaro was consequent upon her refusal to accept the alternative offered to the fifty (50) staff of the College of the Polytechnic; and her refusal to humbly approach the Rector for reabsorption into the service of the Polytechnic as directed by the Committee, the Senate is unable to further help the situation ***(S/Res/091/01/16)***.

16. 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:
Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Mr. Olugbenga Odusanya, GMD/CEO COOD Resources International Limited against the Nigeria Customs Service for alleged wrongful disposal of four containers of imported automotive oils and additives (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution (i):
Question: That the auctioning of the petitioner's cargoes which became overtime goods as a result of their abandonment, was the appropriate step to be taken by the Nigeria Customs after observing the due process of publication of the intent to dispose of overtime and abandoned goods and having waited for 30 days by virtue of the Customs and Excise Management Act, 2014 for owners of such goods to clear them — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate is unable to grant the prayers of the petitioner to have the Nigeria Customs refund cost of the goods claimed to be wrongfully auctioned and to pay for damages and loss of business — *Agreed to.*

Resolved:
(*i*) That the auctioning of the petitioner's cargoes which became overtime goods as a result of their abandonment, was the appropriate step to be taken by the Nigeria Customs after observing the due process of publication of the intent to dispose of overtime and abandoned goods and having waited for 30 days by virtue of the Customs and Excise Management Act, 2014 for owners of such goods to clear them;

(*ii*) That the Senate is unable to grant the prayers of the petitioner to have the Nigeria Customs refund cost of the goods claimed to be wrongfully auctioned and to pay for damages and loss of business ***(S/Res/092/01/16)***.

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

Motion made: That a Bill for an Act to amend the High Court of the Federal Capital Territory, Abuja (Number of Judges) Act No. 15, 2003 to make provision for increase from thirty-seven (37) to seventy- five (75) and for related matters, 2016 be read the Second Time (*Senator Joshua M. Lidani — Gombe 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.

18. 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.

19. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 24th February, 2016 at 10.00a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:46 *p.m.*

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