8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 62

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 1st March, 2016

1. The Senate met at 10:48 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 25th February, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**
Acknowledgement:
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Staff and Students of Marist College, Yangoji, Abuja;

(*ii*) Staff and Students of Great Olympics (De-Grate Jewels) International Academy, Bwari, Abuja;

(*iii*) Staff and Students of Nigeria-Egypt International School, Gwarimpa, Abuja;

(*iv*) Staff and Students of Spring Roses Model Academy, Karu, Nasarawa State; and

(*v*) Staff and Students of Lyngra Private Montessori School, Karu, Nasarawa State.

4. **Petition:**
Rising on Rule 41, Senator Samuel N. Anyanwu *(Imo East)* drew the attention of the Senate to a petition from his constituent, ASP Anthony Igwe Mbeojirikwe, on an appeal for reinstatement into the Nigeria Police Force. 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. **Committee on Ethics, Privileges and Public Petitions:**
Report on the petition from Mr. Anaele Mark against Nigeria Customs Service:
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. Anaele Mark against Nigeria Customs Service for alleged wrongful retirement from the Service (*Senator Samuel N. Anyanwu — Imo East*).

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Question put and agreed to.

Report Laid.

6. Committee on Ethics, Privileges and Public Petitions:
Report on the petition from Mr. Meseko Olugbenga Felix against the Federal Inland Revenue Service (FIRS):
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. Meseko Olugbenga Felix against the Federal Inland Revenue Service (FIRS) for wrongful dismissal from Service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report Laid.

7. Motion:
Nigerians involvement in illicit global drugs trade and increase in domestic drug abuse by Nigerian youth:
Motion made: That the Senate notes with serious concern the engagement of some Nigerians in the usage and smuggling of hard drugs into Southeast Asian countries and other parts of the world;

notes that the Malaysian authorities have again issued a strong statement that 40 percent of the foreigners being arrested for drug offences are from Nigeria. So far, 30 out of 80 foreign students arrested in 2015 were Nigerians, in a country where drug trafficking attracts the supreme retribution;

observes that in their desperation, these Nigerians are disguising as "university students", colluding with drug syndicates (predominantly outside Nigeria) there to undermine the visa system and gain entrance into Malaysia, Indonesia, Thailand and other drug traffic routes. On getting there, they abandon the education agenda and get busy with their illicit and illegal drug business activities; trading in opiates, cocaine, heroin, cannabis and amphetamines. The Colleges/Universities have been told to keep a lookout for those who sign up for courses and do not turn up;

worried that the involvement of Nigerians in this dangerous enterprise is tarnishing the image of the country. Our nationals are viewed with suspicion and subjected to demeaning treatment at airports across the world as a result of this negative perception;

equally worried that the Federal Government has not swung into strategic action to curb the menace of drug couriers and their sponsors both in and out of Nigeria;

aware that the National Drugs Law Enforcement Agency(NDLEA) is doing its best within its powers as presently constituted;

further aware that while the incidence of lifting of the drugs from Nigeria in itself has become few and far between, those involved have found a way of picking up the narcotic substances while in transit, considering that most flights from Nigeria to some of the countries at stake like Thailand and Indonesia are not direct flights;

equally aware that in April 2015, Indonesia, another Southeast Asian country that imposes the death sentence on drug traffickers, executed four Nigerians despite pleas for leniency by Nigeria, the United Nations and Amnesty International. The four were among the eleven Nigerians facing execution for drug offences. In spite of this, some desperate Nigerians are not deterred. According to Newspaper reports, the case for leniency was rendered impotent because, at that point, seven fresh cases of drug trafficking involving Nigerians had just emerged in Indonesia;

aware also that apart from the cases in Malaysia and Indonesia, at least one Nigerian is on the death row in Singapore for drug-related offences. But the situation in China, which also punishes drug trafficking with death penalty, is alarming. Two Nigerians were executed in China in April 2015, but 120 other Nigerians are still on the death row for drug-related offenses, with 74 of them being held in Guandong and Guanxi Provinces. Harm Reduction International (HRI), a United Kingdom based NGO, said 33 countries impose the death penalty for drug related offences;

further aware that drug trafficking is not only a challenge in the international sense of the word but also that the usage of different harmful narcotic substances including the abuse of prescription medicines by different demographics of the society (particularly the youth), constitute a major problem in our society;

notes that across the length and breadth of Nigeria, East, West, North and South, the incidence of young Nigerians abusing substances including Codeine, Rochephenol, Tramadol, Heroin, Cannabis Sativa (Indian Hemp) and even different grades of crack cocaine have become prevalent;

notes that the implications of the drug trade are staggering. Drug syndicates are destroying the lives of others, United Nations Office on Drugs and Crime (UNODC) reported that there were 183,000 drug-related deaths worldwide, with drug dependent users rising to about 39 million. Drug use is closely linked to violent crimes and terrorism in many parts of the world, Nigeria inclusive;

worried that young Nigerians are being distracted and derailed by the high prevalence of drug abuse/trafficking and as such have become willing tools for crime/criminal syndicates who find it easier to brainwash young Nigerians in their state of alternative reality or what they refer to as 'Highness';

further worried that the scenario in Nigeria is also unnerving, in a 2012 report, the International Narcotics Control Board said that Nigeria, was a transit point for cocaine from Latin America destined for Europe; and

Nigeria also topped the list of the countries involved in drug trafficking and drug use in West Africa and also the list of drug couriers arrested in Europe in 2011 and 2012.

Accordingly resolves to:

(*i*) urge the Executive to restructure and reposition the National Drugs Law Enforcement Agency to be able to meet the challenges of evasive drug traffickers using Nigerians to traffic drugs;

(*ii*) urge the Nigerian Police Force, National Drugs Law Enforcement Agency (NDLEA), National Agency for Food and Drugs Administration and Control (NAFDAC) and the Pharmaceutical Council of Nigeria to develop a collaborative approach towards curbing the incidence of drug use and abuse within the country;

(*iii*) mandate the Committee on Drugs and Narcotics to consider an urgent amendment of Section 23 of the Pharmaceutical Council of Nigeria Act, to include the sale of prescription pills over the counter as an offence punishable by the Act; and

(*iv*) urge the Executive to urgently consider placing the NDLEA under the direct supervision of the Presidency as obtainable with the EFCC and ICPC as against being under the supervision of the Ministry of Justice (*Senator Gbenga B. Ashafa — Lagos East*).

Debate:

Proposed Resolution (i):
Question: That the Senate do urge the Executive to restructure and reposition the National Drug Law Enforcement Agency to be able to meet the challenges of evasive drug traffickers using Nigerians to traffic drugs — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do urge the Nigerian Police Force, National Drugs Law Enforcement Agency (NDLEA), National Agency for Food and Drugs Administration and Control (NAFDAC) and the Pharmaceutical Council of Nigeria to develop a collaborative approach towards curbing the incidence of drug use and abuse within the country.

Amendment Proposed:
Immediately after the word "Nigeria" in line 3, *insert* the words "and other regulatory agencies" (*Senator Matthew A. Urhoghide — Edo South).*

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

Proposed Resolution (iii):
Question: That the Senate do mandate the Committee on Drugs and Narcotics to consider an urgent amendment of Section 23 of the Pharmaceutical Council of Nigeria Act, to include the sale of prescription pills over the counter as an offence punishable by the Act — *Agreed to.*

Proposed Resolution (iv):
Question: That the Senate do urge the Executive to urgently consider placing the NDLEA under the direct supervision of the Presidency as obtainable with the EFCC and ICPC as against being under the supervision of the Ministry of Justice — *Negatived.*

Resolved:
That the Senate do:

(*i*) urge the Executive to restructure and reposition the National Drugs Law Enforcement Agency to be able to meet the challenges of evasive drug traffickers using Nigerians to traffic drugs;

(*ii*) urge the Nigerian Police Force, National Drugs Laws Enforcement Agency (NDLEA), National Agency for Food and Drugs Administration and Control (NAFDAC) and the Pharmaceutical Council of Nigeria and other regulatory agencies to develop a collaborative approach towards curbing the incidence of drug use and abuse within the country; and

(*iii*) urge the Committee on Drugs and Narcotics to consider an urgent amendment of Section 23 of the Pharmaceutical Council of Nigeria Act, to include the sale of prescription pills over the counter as an offence punishable by the Act ***(S/Res/100/01/16)***.

8. Committee on Ethics, Privileges and Public Petitions:
Report on the petition from St. Matthew's Church, Gwarimpa, Abuja against the Federal Housing Authority (FHA) and the Federal Capital Development Authority (FCDA):
Motion made: That the Senate do consider 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 presented.

Debate:

Proposed Resolution (i):
Question: That the decision of the two agencies, Federal Capital Development Agency (FCDA) and Federal Housing Authority (FHA) to integrate St. Matthew's Church into the Sector Centre design be sustained — *Agreed to.*

Proposed Resolution (ii):
Question: That the Federal Capital Development Agency (FCDA) which was assigned the duty to redesign the Sector Centre 'E,' should treat it as a matter of urgency to enable the Church get back to the site and complete its project as soon as possible — *Agreed to.*

Proposed Resolution (iii):
Question: That Committee on Federal Capital Territory (FCT) be mandated to ensure compliance with the Senate Resolution — *Agreed to.*

Resolved:

(*i*) That the decision of the two agencies, Federal Capital Development Agency (FCDA) and Federal Housing Authority (FHA) to integrate St. Matthew's Church into the Sector Centre design be sustained;

(*ii*) That the Federal Capital Development Agency (FCDA) which was assigned the duty to redesign the Sector Centre 'E,' should treat it as a matter of urgency to enable the Church get back to the site and complete its project as soon as possible; and

(*iii*) That Committee on Federal Capital Territory (FCT) be mandated to ensure compliance with the Senate Resolution ***(S/Res/101/01/16)***.

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 consider 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 presented.

Debate:

Proposed Resolution:
Question: That the matter be left with the National Industrial Court of Nigeria to decide — *Agreed to.*

Resolved:
That the matter be left with the National Industrial Court of Nigeria to decide ***(S/Res/102/01/16)***.

10. Committee on Ethics, Privileges and Public Petitions:
Report on the petition by Eight Hundred (800) former staff of Power Holding Company of Nigeria (PHCN):
Motion made: That the Senate do consider 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 presented.

Debate:

Proposed Resolution (i):
Question: That the petitioners should continue liaising with their Labour Unions that participated in the agreement between the Federal Government and the former workers of the Power Holding Company of Nigeria (PHCN) to push for the settlement of their benefits/entitlements and resolution of any outstanding issues relating to their disengagement — *Agreed to.*

Proposed Resolution (ii):
Question: That those former Power Holding Company of Nigeria (PHCN) workers who qualify, should apply for employment with Kano Electricity Distribution Company (KEDCO) as they have begun recruitment of 1,000 workers.

Amendment Proposed:
Leave out the Provision in Proposed Resolution (ii) and *insert* the following instead thereof:
"That those former Power Holding Company of Nigeria (PHCN) workers who qualify, should be given preference by Kano Electricity Distribution Company (KEDCO) during the recruitment of 1,000 workers" (*Senator Ovie Omo-Agege — Delta Central).*

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

Resolved:
(*i*) That the petitioners should continue liaising with their Labour Unions that participated in the agreement between the Federal Government and the former workers of the Power Holding Company of Nigeria (PHCN) to push for the settlement of their benefits/entitlements and resolution of any outstanding issues relating to their disengagement; and

(*ii*) That those former Power Holding Company of Nigeria (PHCN) workers who qualify, should be given preference by Kano Electricity Distribution Company (KEDCO) during the recruitment of 1,000 workers ***(S/Res/103/01/16)***.

11. Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters (Amendment) Bill, 2016 (SB.225):

Motion made: That the Senate do suspend Rule 79(1) to enable it expeditiously take Second Reading and Third Reading of the Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters (Amendment) Bill, 2016 to give effect to the implementation of the Capital Budget Provisions beyond 31st December, 2015 (*Senate Leader*).

Question put and agreed to.

12. Federal Capital Territory Statutory Appropriation Act 2015 and for Related Matters (Amendment) Bill, 2016 (SB.225):

Motion made: That a Bill for an Act to amend the Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters to give effect to the implementation of the Capital Budget Provisions beyond 31st December, 2015 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of Supply.

13. Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters (Amendment) Bill, 2016 (SB. 225):

Motion made: That the Senate do resolve into the Committee of Supply for the consideration of the Bill for an Act to amend the Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters to give effect to the implementation of the Capital Budget Provisions beyond 31st December, 2015 *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE FEDERAL CAPITAL TERRITORY STATUTORY APPROPRIATION ACT 2015 AND FOR OTHER RELATED MATTERS

Clause 1: Amendment of the Federal Capital Territory Statutory Appropriation Act, 2015.

The Federal Capital Territory Statutory Appropriation Act, 2015 is amended by substituting the Long Title.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 2: Substitute for the Long Title of the Principal Act a new "Long Title:

Substitute for the Long Title of the Principal Act a new "Long Title":-

"A Bill for an Act to authorise the issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account the total sum of ₦193,864,591,470 (One Hundred and Ninety-Three Billion, Eight Hundred and Sixty-Four Million, Five Hundred and Ninety-One Thousand, Four Hundred and Seventy Naira) Only of which the sum of ₦45,961,784,503 (Forty-Five Billion, Nine Hundred and Sixty-One Million, Seven Hundred and Eighty-Four Thousand, Five Hundred and

Three Naira) Only, is for Personnel Costs and the sum of ₦33,834,186,423 (Thirty-Three Billion, Eight Hundred and Thirty-Four Million, One Hundred and Eighty-Six Thousand, Four Hundred and Twenty-Three Naira) Only is for Overhead Costs whilst the balance of ₦114,068,620,544 (One Hundred and Fourteen Billion, Sixty-Eight Million, Six Hundred and Twenty Thousand, Five Hundred and Forty-Four Naira) Only is for Capital Projects for the service of the Federal Capital Territory, Abuja, for the Financial Year commencing from 1st January, 2015 and ending on 31st March, 2016.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 2 *do stand part of the Bill, put and agreed to.*

Clause 3: **Citation:**
This Act may be cited as the Federal Capital Territory Statutory Appropriation Act 2015 (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 3 *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 Supply considered the Report of the Bill for an Act to amend the 2015 Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters to give effect to the implementation of the Capital Budget Provisions beyond 31st December, 2015 and approved as follows:

Clauses 1-3 — As Recommended

Question: That the Senate do approve the Report of the Committee of Supply — *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.

14 **Conference Committee:**
The Senate President named the following Senators as Conferees on the Federal Capital Territory Statutory Appropriation Act 2015 and for Other Related Matters:

(*i*)	Senator Dino Melaye	—	Chairman
(*ii*)	Senator Baba Kaka B. Garbai	—	Member
(*iii*)	Senator Enyinnaya H. Abaribe	—	Member
(*iv*)	Senator Donald O. Alasoadura	—	Member
(*v*)	Senator Ahmad R. Sani	—	Member
(*vi*)	Senator Ben Murray-Bruce	—	Member

15. Nigerian Peace Corps (NPC) (Establishment, etc.) Bill, 2016 (SB. 173):

Consideration of Bill deferred to another Legislative Day.

16. National Unity and Peace Corps (Establishment, etc.) Bill, 2016 (SB. 183):

Consideration of Bill deferred to another Legislative Day.

17. Adjournment:
Motion made: That the Senate do now adjourn till Wednesday, 2nd March, 2016 at 10.00a.m. (*Senate Leader*).

Adjourned accordingly at 12:21 *p.m.*

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