SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 15th March, 2016

1. The Senate met at 10:44 a.m. The Senate President read the Prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 10th March, 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:

Transmission of the Avoidance of Double Taxation Bills:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

14th March, 2016

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

Dear Distinguished Senate President,

TRANSMISSION OF BILLS FOR ACTS TO PROVIDE FOR THE DOMESTICATION AND ENFORCEMENT IN NIGERIA OF THE AVOIDANCE OF DOUBLE TAXATION AGREEMENTS BETWEEN THE FEDERAL REPUBLIC OF NIGERIA AND THREE OTHER COUNTRIES (SOUTH KOREA, SPAIN AND SWEDEN)

The Senate is invited to note that agreements for the avoidance of double taxation between countries facilitate inter-states trade, economic and business activities as well as enable prospective investors to know the income tax obligation in each country and the tax incentives available. They also ensure stable and reliable tax regimes and improve the cooperation between tax authorities through exchange of information among others.

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2. Pursuant to above, the Federal Government of Nigeria entered into agreements for the avoidance of double taxation with the Kingdom of Sweden, Republic of South Korea and Kingdom of Spain which were duly executed on 18th November, 2004, 6th November, 2006 and 23rd June, 2009 respectively, after series of negotiations between Nigeria and each of these countries.

3. For the agreements to be enforceable in Nigeria, they must be domesticated in line with the Provisions of Section 12(1) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) which states that "No treaty between the Federation and any other country shall have the force of law to the extent that such treaty has been enacted into law by the National Assembly".

4. Bearing in mind the interest of Nigeria and each of the three countries to these agreements vis a vis the economic vision of this Government, the coming into the force of these agreements will no doubt facilitate the interchange of direct foreign investment.

5. Therefore, I have the pleasure to forward one copy each of the draft Bills for Acts to domesticate each of the agreements for consideration and enactment by the Senate.

6. Please, accept as always the assurances of my esteemed consideration.

Yours Sincerely
(Signed)
Muhammadu Buhari

4. Announcements:

(a) Demise of Miskom Hubert Shaldas II, The Longamai of Shandam:

The Senate President read a letter from Senator Jeremiah T. Useni (*Plateau South*) as follows:

Senator Jeremiah Timbut Useni, CFR, mni
SARDAUNAN PLATEAU AND NASARAWA STATES
Senator Representing Plateau South Senatorial District
Motto: Do Good, You See Good.

JTU/SEN/PLSSD/01 *08 March, 2016*

The Senate President,
Senate of the Federal Republic of Nigeria
National Assembly,
The Three Arms Zone; Abuja.

My Dear President,

NOTICE OF THE DEMISE OF THE PARAMOUNT RULER OF GAMAI NATION IN SHENDAM LGC, LATE MISKOM HUBERT SHALDAS II (OON) THE LONG GAMAI AND REQUEST FOR CONDOLENCE VISIT.

It is with my heart full of sorrow but total submission to the will of God that I wish to formally inform this Distinguished Senate of the transition to glory of his Royal Highness, the Long-Gamai and the Traditional Ruler/First Class Chief of Shendam Local Government Area, Late Miskom Hubert Shaldas II (OON).

2. The unfortunate event occurred on the 8th of February, 2016 and burial has since taken place.

3. Late Miskom Hubert Shaldas II (OON) was born on the 25th of October, 1939. He served in the Nigerian Army and retired as a Major after the civil war. He was the Finance Officer, 2nd Division based in Benin during the Nigeria civil war. Late Miskom Hubert Shaldas II (OON) was installed as the Long Gamai of Gamai Nation on the 17th of December,1988. He reigned for twenty eight years.

4. He was until his death, the Chairman of Shendam Traditional Council and an active member of Plateau State Traditional Council. He held various other positions of responsibility including Acting Chairman of Plateau Traditional Council after the demise of the Late Gbong Gwom Jos, Dr. Fom Bot.

5. The Late Long Gamai would be remembered as a philanthropist, peace maker and bridge builder in Shendam, Plateau South Senatorial Zone, Plateau State and the entire country.

6. In the light of the foregoing, I wish to kindly request that this Distinguished Senate sends a powerful delegation to commiserate with his family, Shendam LGA, Plateau Southern Senatorial District and the good people of Plateau State in general.

7. Thank you Mr President for your kind consideration of my humble request.

Yours Most Sincerely
(Signed)
Senator (Gen.) J.T Useni, Dss, Psc, Mni, CFR
Sardaunan Plateau & Nassarawa States

(b) Senate Delegation to Taraba State:

The Senate President named the following Senators to condole the families, people and Government of Taraba State:

(*i*)	Senator Kabiru I. Gaya	—	Leader
(*ii*)	Senator Joshua M. Lidani	—	Member
(*iii*)	Senator Mohammed S. Lafiagi	—	Member
(*iv*)	Senator John O. Enoh	—	Member
(*v*)	Senator Enyinnaya H. Abaribe	—	Member
(*vi*)	Senator Bareehu O. Ashafa	—	Member

(c) Acknowledgement:

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

(*i*) Staff and Students of St. Anthony's Nursery/Primary School, Angwan Barau, Niger State;

(*ii*) Staff and Students of IQ Academy, Garki, Abuja; and

(*iii*) Staff and Students of New Horizons College, Minna, Niger State.

5. Presentation of Bills:

(*i*) Nigerian Army Institute of Technology and Environmental Studies (Establishment, etc.) Bill, 2016 (SB. 123) — *Read the First Time.*

(*ii*) Whistle Blowers Protection Bill, 2016 (SB. 158) — *Read the First Time.*

(*iii*) Public Officers Protection Act, CAP P41 Laws of the Federation of Nigeria, 2004 (Amendment) Bill, 2016 (SB. 209) — *Read the First Time.*

(*iv*) National Roads Fund (Establishment, etc.) Bill, 2016 (SB. 218) — *Read the First Time.*

(*v*) Federal Road Safety Corps Act, No. 22 2007 (Amendment) Bill, 2016 (SB. 221) — *Read the First Time.*

6. Gender and Equal Opportunities Bill, 2016 (SB. 116):

Motion made: That a Bill for an Act to incorporate and enforce certain provisions of the United Nations Convention on the elimination of all forms of discrimination against women, the protocol of the African Charter on Human and People's Rights on the rights of women in Africa, and other matters connected therewith be read the Second Time (*Senator Biodun C. Olujimi — Ekiti South*).

Debate:

Question put and negatived.

7. Witness Protection Programme Bill, 2016 (SB. 157):

Consideration of Bill deferred to another Legislative Day.

8. Public Officers Protection Act, CAP P41 Laws of the Federation of Nigeria, 2004 (Amendment) Bill, 2016 (SB.156):

Consideration of Bill deferred to another Legislative Day.

9. Motion:

Interim Financial and Material Support/Assistance to Internally Displaced Persons (IDPs) Returnees in Adamawa, Borno, and Yobe States:

Motion made: That the Senate is aware that the Federal Government is winning the war against insurgency in the North East particularly Borno, Adamawa and Yobe;

notes that most of the Local Governments, towns and villages hitherto occupied by the insurgents have been recaptured and secured by the Nigerian security forces particularly, the Army;

also aware that the highways leading to and from all the Local Governments from the State Headquarters of Borno, Adamawa and Yobe have been demined and opened to commuters;

worried that the Internally Displaced Persons from these States ran away from their various homes leaving everything they own behind with hope of returning within a short time but end up losing everything to the insurgents (Boko Haram);

also notes that a significant number of the victims of insurgency around our border towns ran to Niger, Chad and Cameroon;

also worried that the displaced person's houses and other physical properties, like vehicles machineries, other buildings and almost everything have been destroyed or vandalized by the insurgents (Boko Haram);

concerned that most or almost all the affected persons are relatively poor with no savings, source of income or gainful employment;

also concerned that for two years consecutively the people in the affected States have not been able to farm;

notes that many people especially children are dying because of hunger and sanitation related diseases;

aware of the effort the Federal Government through the National Emergency Management Agency (NEMA), Presidential Initiative on North East (PINE), Victims Support Fund (VSF) and National Commission for Refugees to provide basic relief materials to the Internally Displaced Persons (IDPs) in the various camps;

worried that the Internally Displaced Persons (IDPs) that are eager to return home or are being relocated have nothing to take home, and have nothing to meet at home from what they left behind when they ran away; and

observed that for the Internally Displaced Persons (IDPs) to return home, they need immediate and interim financial and material assistance in terms of cash transfer and food relief to start their lives all over in the short term, before the intervention from proposed North East Development Commission, Presidential Initiative on North East (PINE), Victims Support Fund (VSF) Safe School Initiative or any form of intervention.

Accordingly resolves to:

(*i*) urge the Federal Government to release grains from the Strategic Grain Reserve to the affected States of Borno, Adamawa and Yobe;

(*ii*) direct the Committee on Appropriations to allocate the sum of ₦10 billion under Service Wide Vote for relocation and resettlement of the Internally Displaced Persons (IDPs) returnees in Borno, Adamawa and Yobe;

(*iii*) urge National Emergency Management Agency (NEMA) and National Commission for Refugees to make special arrangement for repatriation and resettlement of Nigerian refugees in Cameroon, Niger and Chad;

(*iv*) direct the appropriate Committee to write a letter of appreciation to the Embassies of the host countries where the refugees are accommodated; and

(*v*) urge the Victims Support Fund to allocate reasonable amount from the fund for immediate relocation and resettlement of the Internally Displaced Persons (IDPs) pending the short and medium term plans they might have (*Senator Mohammed A. Ndume — Borno South*).

Debate:

Proposed Resolution (i):
Question: That the Senate do urge the Federal Government to release grains from the Strategic Grain Reserve to the affected States of Borno, Adamawa and Yobe — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do direct the Committee on Appropriations to allocate the sum of ₦10 billion under Service Wide Vote for relocation and resettlement of the Internally Displaced Persons (IDPs) returnees in Borno, Adamawa and Yobe — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do urge National Emergency Management Agency (NEMA) and National Commission for Refugees to make Special arrangement for repatriation and resettlement of Nigeria refugees in Cameroon, Niger and Chad — *Agreed to.*

Proposed Resolution (iv):
Question: That the Senate do direct the appropriate Committee to write a letter of appreciation to the Embassies of the host countries where the refugees are accommodated — *Agreed to.*

Proposed Resolution (v):
Question: That the Senate do urge the Victims Support Fund to allocate reasonable amount from the fund for immediate relocation and resettlement of the Internally Displaced Persons (IDPs) pending the short and medium term plans they might have — *Agreed to.*

Additional Proposed Resolution:
Insert Additional Proposed Resolution as follows:
"Urge the Federal Government to include other identified and confirmed Internally Displaced Persons (IDPs) in Nigeria as beneficiary" (*Senator Emmanuel Bwacha — Taraba South).*

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

Resolved:
That the Senate do:

(*i*) urge the Federal Government to release grains from the Strategic Grain Reserve to the affected States of Borno, Adamawa and Yobe;

(*ii*) direct the Committee on Appropriations to allocate the sum of ₦10 billion under Service Wide Vote for relocation and resettlement of the Internally Displaced Persons (IDPs) returnees in Borno, Adamawa and Yobe;

(*iii*) urge National Emergency Management Agency (NEMA) and National Commission for Refugees to make special arrangement for repatriation and resettlement of Nigerian refugees in Cameroon, Niger and Chad;

(*iv*) direct the appropriate Committee to write a letter of appreciation to the Embassies of the host countries where the refugees are accommodated;

(*v*) urge the Victims Support Fund to allocate reasonable amount from the fund for immediate relocation and resettlement of the Internally Displaced Persons (IDPs) pending the short and medium term plans, they might have; and

(*vi*) urge the Federal Government to include other identified and confirmed Internally Displaced Persons (IDPs) in Nigeria as beneficiary ***(S/Res/120/01/16).***

10. Adjournment:
Motion made: That the Senate do now adjourn till Wednesday, 16th March, 2016 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:39 *p.m.*

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