SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 10th November, 2016

1. The Senate met at 10:21 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 9th November, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**
Acknowledgment:
The Senate President acknowledged the presence of Staff and Students of Asacs International Staff College, Bwari, Abuja who were in the gallery to observe Senate Proceedings.

4. **Presentation of Bills:**
(*i*) Federal Mortgage Bank of Nigeria Act CAP F16 LFN 2004 (Amendment) Bill, 2016 (SB.215) — *Read the First Time.*

(*ii*) Facilities Managers (Establishment, etc.) Bill, 2016 (SB. 340) — *Read the First Time.*

(*iii*) Arbitration and Reconciliation Act CAP A18 LFN 2004 (Amendment) Bill, 2016 (SB. 362) — *Read the First Time.*

(*iv*) Nigerian Bank of Industry (Establishment, etc.) Bill, 2016 (SB.366) — *Read the First Time.*

(*v*) Child Rights Act 2003 (Amendment) Bill, 2016 (SB. 370) — *Read the First Time.*

(*vi*) Proceeds of Crimes Bill, 2016 (SB. 376) — *Read the First Time.*

5. **Committee on Finance:**
Report on the 2016 Budget of the Federal Inland Revenue Service:
Motion made: That the Senate do consider the Report of the Committee on Finance on the 2016 Budget of the Federal Inland Revenue Service (*Senator John O. Enoh — Cross River Central*).

Question put and agreed to.

Report Presented.

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Debate:

Report referred back to the Committee for further Legislative action and to report within one (1) week.

6. **Joint Committee on Poverty Alleviation and Social Welfare; and National Planning:**
Report on the National Poverty Eradication Commission (Establishment, etc.) Bill, 2016 (SB.023):

Consideration of Report deferred to another Legislative Day.

7. **Committee on Agriculture and Rural Development:**
Report on the Nigerian Agricultural Quarantine Service Bill, 2016 (SB. 81):
Motion made: That the Senate do consider the Report of the Committee on Agriculture and Rural Development on the Nigerian Agricultural Quarantine Service Bill, 2016 (*Senator Abdullahi Adamu — Nasarawa West*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Deputy Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIA AGRICULTURAL QUARANTINE SERVICE AND MATTERS CONNECTED THEREWITH 2016.

PART 1 - ESTABLISHMENT OF THE NIGERIA AGRICULTURAL QUARANTINE SERVICE AND THE GOVERNING BOARD

Clause 1: **Establishment of the Nigeria Agricultural Quarantine Service:**
There is established a body to be known as the Nigeria Agricultural Quarantine Service (in this Act referred to as "the Service") which:
(a) shall be a body corporate with perpetual succession and a common seal; and

(b) may sue and be sued in its corporate name.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

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

Clause 2: **Establishment of the Governing Board:**
(1) There is established for the Service, a Governing Board which shall consist of:—
(a) a chairman;

(b) Representative of the Federal Ministry of Agriculture and Rural Development

(c) Representative of the Federal Ministry of Industry, Trade and Investment

(d) Comptroller General Nigeria Customs Service

(e) representative of Manufacturers Association of Nigeria

(f) the Director - General of the Service.

(h) three persons to be appointed by the President recommendation of the Minister

(2) each member of the board shall hold office for the term of 4 years and no more

(3) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the proceedings of the Board and other matters contained therein.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

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

Clause 3: Cessation of membership:

(1) A member shall cease to be a member if:—

(a) he resigns as a member by notice in writing under his hand addressed to the Minister and from the date specified in the notice or, if no date is specified, from the date of the receipt by the Minister of the notice, he shall cease to be a member; or

(b) he is without permission of the Board absent from more than two consecutive meetings or without such permission is absent from the country for a period exceeding one year; or

(c) the Minister subject to the approval of the President, is satisfied that is not in the interest of the Service or the public for the person appointed to continue in office and notifies the member in writing to that effect.

(2) If the Minister is satisfied that a member of the Board:—

(a) has become bankrupt; or

(b) is incapacitated by physical or mental illness;

(c) holds any other office of profit under the Service;

(d) enters into contract with the Service or is engaged or participates in the sharing of the profits of any contract with the Service;

(e) is guilty of serious misconduct in relation to his duties;

(f) has been convicted at any time by any court of law in Nigeria or elsewhere for an offence involving financial dishonesty; or

(g) is otherwise unable or unfit to discharge the functions of a member; the Minister may declare his office as a member of the board to be vacant.

(3) Where a member ceases to hold office for any reason whatsoever before the expiration of his term of office, President after consulting the Minister may appoint another person for the unexpired term.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 3 *do stand part of the Bill, put and agreed to.*

Clause 4: **Dissolution:**
Notwithstanding anything to the contrary in this Act, the Minister shall exercise the powers of the Board where:—

(a) the Board has not been constituted;

(b) the Board has been dissolved; and

(c) any action taken or decision reached in compliance with the provisions of this subsection shall be valid for all intent and purpose.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 4 *do stand part of the Bill, put and agreed to.*

Clause 5: **Allowances of members:**
A member shall be paid such remuneration and allowance as the Federal Government may from time to time direct.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 5 *do stand part of the Bill, put and agreed to.*

PART II — OBJECTIVES, STRUCTURE, FUNCTIONS OF THE SERVICE AND POWERS OF THE BOARD

Clause 6: **Objectives of the Service:**
(1) The Service should have the following objectives —

(a) to prevent the introduction, establishment and spread of exotic pests and diseases of plants, animals and aquatic resources and their products into the country, thus safeguarding the nation's agricultural economy.

(b) to ensure the nation's indigenous Agricultural pest and diseases are not exported, thus promoting sanitary and phytosanitary measures for agricultural export in International trade.

(c) to control regional and International movement of plant, animal and aquatic resources in order to prevent the introduction and spread of diseases.

(d) to ensure the protection of the nation's ornamental fish species, eco-systems and meet the standard for the ornamental fish spread.

(e) to boost the nation's agricultural productivity by contributing to wealth creation and employment generation the critical agricultural sub-sector, thus ensuring food security and increase GDP.

(f) to prevent pesticides or mycotoxin contamination of agricultural commodities.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: **Structure of the Service:**

(1) There shall be established for the Service the following Departments -

(a) Department of Plant Quarantine

(b) Department of Animal Quarantine

(c) Department of Aquatic Resources

(d) Department of Laboratory Management

(e) Department of Planning, Research and Development

(f) Department of Finance and Administration

(g) Such other Departments, divisions or units as the Service, with the approval of the board, may require for effective and efficient performance of its functions under this Bill.

(2) Each Department shall be headed by a Director.

(3) The Service shall establish Zonal Quarantine Offices and Directorates in the discharge of its functions.

(4) for the purpose of carrying out or enforcing the provisions of this Act, all officers of the Service involved in the enforcement of the provisions of this Act, shall have the same powers, authority, and privileges as are given by law to members of Nigeria Customs Service.

(5) the officers of the Service for the purpose of enforcing the provisions of this Act shall be ranked accordingly as expressly stated in schedule II of this Act.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: **Functions of the service:**

(1) The Service shall:—

(a) enforce compliance with laws, guidelines, policies and standards on agricultural quarantine procedure;

(b) coordinate and liaise with stakeholders within and outside Nigeria to ensure compliance with matters of agricultural quarantine standards, regulations and enforcement;

(c) enforce compliance with the provision of international agreements, protocols, conventions and treaties on agricultural quarantine, including forestry, endangered species, plants, plant products, animal, animal products, aquatic resources and its products, biologics, sanitation, marine and wildlife, and such other agricultural quarantine agreements as may from time to time come into force;

(d) enforce compliance with any legislation on disposal of plants, plant products, animal, animal products, aquatic resources and its products, biologics, and regulated articles at the ports of entry and Agricultural Quarantine Stations;

(e) enforce compliance through monitoring the agricultural quarantine regulations and standards on plants, plant products, animal, and animal products, aquatic resources and its products ;

(f) enforce compliance with regulations on the implementation and exportation of plants, plant products, animals, animal products, aquatic resources and its products, biologics, , wildlife and wild life trophies, and wood products;

(g) ensure that agricultural quarantine projects funded by donor organizations and external support agencies are carried out in compliance to regulations in plant health, animal and public health;

(h) ensure compliance with agricultural quarantine control measures using the registration, licensing, permits, inspection and certification systems;

(i) conduct agricultural quarantine audit, pest surveys and disease surveillance, containment and eradication programmes of regulated quarantine pests and establish data bank on regulatory and enforcement mechanisms of agricultural quarantine standards;

(j) prohibit the use of processes, equipment and materials that are capable of undermining public health, sanitation, and endangering the agricultural economy;

(k) develop agricultural quarantine networks, compile and synthesize data on agricultural quarantine measures compliance from all sectors;

(l) enter into agreement with public or private organizations and individuals to develop, utilize, coordinate and share monitoring programmes, research works, data on the effect of various activities as they concern the mandate of the Service;

(m) collect and make available, through publications and other appropriate means and in co-operation with public and private organizations, scientific data and other information pertaining to agricultural quarantine measures and standards;

(n) charge fees for tests, inspection, investigations, diagnosis, treatment, prevention and control and other services performed by the Service;

(o) develop pest and animal diseases diagnostic and analytic capabilities and establish laboratories and quarantine stations at such places as may be deemed necessary and encourage and promote activities related to the functions of the Service; with respect to plant, plant products; wild life and wild life trophies and wool product;

(p) collaborate with relevant agencies in the conduct of public investigation on epidemic, public health and sanitation occasioned by the spread or outbreak of quarantine-able diseases or pests;

(q) train and develop the staff of the Service; and other relevant agencies (national and international) with the approval of the Minister, establish the programmes for setting standards and regulations for the prevention, reduction and elimination of quarantine-able diseases, pest and epidemics caused by these diseases or brought about by these pests.

(r) enforce and ensure compliance with laws, regulations and schedules of inspection as well as import permits, sanitary and Phytosanitary certificates for importation of plants, animals and aquatic resources;

(s) intercept and seize all illegal imports and exports of agricultural commodities and regulated materials;

(t) ensure that any plant or plant products, animal or animal products, aquatic resources and its products meant for export or export processing, or producing facility that utilizes raw or semi-processed agricultural products shall undergo quarantine inspection and certification before packaging and labeling;

(u) ensure that any plant or plant products, animal or animal products, aquatic resources and its products intended for export must be declared to the Service at least 24 hours before the time of departure;

(v) ensure that any international movement of wood packaging materials including dunnages, crates, pallets shall be subjected to quarantine inspection and certification;

(w) ensure that any international movement of used vehicles, machinery and equipment must be subjected to Phytosanitary measures to prevent introduction of quarantine pest;

(x) ensure that all imports of live animals must be subject to quarantine inspection and certification at designated quarantine stations, before release into the national herd;

(y) ensure that all plant pests and disease outbreaks, shall be reported to the Service for investigation, treatment, control, prevention and Service shall inform the Minister for necessary action;

(z) ensure compliance of acceptable levels of pesticides mycotoxin, heavy metals, and other contaminants in agricultural produce meant for export;

(z1) establish the programmes for setting standards and regulations for the prevention, reduction and elimination of quarantine-able diseases, pests and epidemics caused by these diseases or brought about by these pests;

(z2) conduct national or international training and development of its staff in the relevant areas of competence either on its own or with other relevant agencies subject to the approval of the Board; and

(z3) ensure that authorized officer shall board and inspect any aircraft sea vessels, rail wagons, trucks, or any carriage container, carrying any agricultural product at any of the entry or exit point, such as land borders, interstate control post, airport, sea port, etc.

(2) The Service shall collaborate and cooperate to the full extent permissible under this Act, or other relevant legislations, with Ministries, Departments or Agencies including the Ministry, Veterinary Service, Animal Production, Fisheries, Forestry, and the branches and agencies of these Departments or any agency of the Federal orState Government and international organisationsor Institutions with functions and responsibilities related to those of the Service.

(3) The Service may cause to be published such studies and reports, which shall include a review of medium and long-term economic prospects and problems, prepared for the use of the Service as it deems fit.

(4) It shall be the duty of the Board to comply with any directives given by the Minister under this section.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 8 *do stand part of the Bill, put and agreed to.*

Clause 9: **Powers of the Board:**

(1) The Board shall have power to:—

(a) manage and superintend the affairs of the Service;

(b) subject to the provisions of this Act, make, alter and revoke rules and regulations for carrying on the functions of the Service;

(c) fix the terms and conditions of service including remuneration of employees of the Service in conjunction with the office of the Head of Service of the Federation;

(d) maintain the efficiency and adequacy of the Service to ensure the efficient performance of its functions;

(e) in the absence of a duly constituted Board for the Service, the Director General of the Service shall with the approval of the Minister carry out such functions of the Board as may be required;

(2) In the exercise of its functions and powers, the Service shall give effect to the policy of the Service in relation to those functions and powers as communicated to it from time to time in writing by the Minister.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 9 do stand part of the Bill, put and agreed to.

PART III —APPOINTMENT OF THE DIRECTOR GENERAL AND OTHER STAFF

Clause 10: **Appointment of the Director General:**

(1) There shall be for the Service a Director General who shall be appointed by the President on the recommendation of the Minister.

(2) The Director General shall be a person with cognate and professional experience in agricultural quarantine activities.

(3) The Director General shall be the Chief Executive and Accounting Officer of the Service and is responsible for the execution of the policies and the day to day administration of the Service

(4) The Director General shall:—

(a) hold office for a term of five years, and

(b) renewable for another five years and no more

(c) on such terms and conditions as are specified in his letter of appointment

(5) If for any reason the Director General is unable to perform his function or carry out his duties or there exist a vacancy in the office of the Director General the board may designate an employee of the service who is next in rank to act as the Director General during the period of his inability or vacancy until a Director General is appointed in accordance with the provision of this Act and the employee shall while so acting have all the powers and perform all the functions of the Director General.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 10 *do stand part of the Bill, put and agreed to.*

Clause 11: **Appointment of Secretary/Legal Adviser:**

(1) The Board shall appoint for the Service, a Secretary/Legal Adviser who shall be a legal practitioner and must have been so qualified for a period of not less than 10 years.

(2) The Secretary/Legal Adviser shall:—

(a) be Secretary to the Board;

(b) be responsible for keeping the books and proper records of proceedings and correspondences of the Board and the upkeep of the records of the Service;

(c) administer and discharge all legal obligations of the Service;

(d) administer and discharge all insurance requirements of the Service;

(e) retain external legal services on behalf of the Board as he may deem necessary or expedient; and

(f) perform such other functions as the Board or the Director - General as the case may be, may from time to time, assign to him.

(3) The Board may deploy or appoint other employees upon such terms and conditions as may be determined by the Board.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 11 *do stand part of the Bill, put and agreed to.*

Clause 12: **Establishment of Zonal Quarantine Qffices:**
The Service may establish Zonal Quarantine offices and Directorates as it deems necessary for the discharge of its function.

Committee's Recommendation:
Leave out the provision in Clause 12(*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

PART IV —FINANCIAL PROVISIONS

Clause 13: **Fund of the Service:**

(1) The Service shall establish and maintain a Fund from which shall be defrayed all expenditure incurred by the Service.

(2) There shall be paid and credited into the Fund the following:—

(a) such sum as may be appropriated to it by the National Assembly;

(b) 2% of the Agriculture Development Fund;

(c) such sum as may be approved by the President from the National Resource Development Fund;

(d) loans and grants in aid from national, bilateral and multilateral agencies;

(e) all sums accruing to the Service by way of rents, fees grants, subsidies, subscriptions, interest, royalties and other internally generated revenues from services rendered by the Service;

(f) all sums accruing to the Service by way of gifts, endowments, bequeaths or other voluntary contributions by persons and organizations but the Service shall not be obliged to accept a gift, endowment, bequeath, contribution or donation for a particular purpose unless it approves of the terms and conditions attached to such donation;

(g) any sum or property which may in any manner become payable to or vest in the Service in respect of the performance of its functions;

(h) any sum derived from the sale of any property held by or on behalf of the Service;

(i) any other sum and property lawfully received by the Service for the purposes of the Service; and

(j) all accumulations of income derived from any such property or money.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 13 *do stand part of the Bill, put and agreed to.*

Clause 14: **Expenditure:**
The Service shall, from time to time, apply the funds at its disposal to:—

(a) the cost of establishing and maintaining the Head Office of the Service located at the Federal Capital Territory, Abuja and its offices and stations in other places in Nigeria;

(b) the cost of compliance monitoring and enforcement activities including provision of uniform materials/paraphernalia, and payment of rents for offices;

(c) pay allowances and other benefits of members of the Service and of its committees;

(d) pay the salaries and entitlements of the Director-General and other members of staff of the Service;

(e) pay the pension, overhead and other administrative costs incurred by the Service;

(f) training and capacity building of staff of the Service; develop and maintain any property vested in or owned by the Service including vehicles, facilities, laboratories and infrastructures;

(g) pay for services and contracts entered into by the Service; and

(h) undertake any other activity in connection with all or any of the functions of the Service.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 14 *do stand part of the Bill, put and agreed to.*

Clause 15: Annual Account and Estimate:

(1) The Service shall every year cause to be prepared and shall adopt annual estimates of income and expenditure of the Service for the ensuring year and, if so directed by the Minister, for any other period and shall submit these estimates not later than such date as the Minister directs.

(2) A copy of all annual estimates and supplementary estimates, shall, upon their adoption by the Board, be sent forthwith to the Minister for approval.

(3) Moneys shall not be expended by the Service other than in accordance with the estimates of expenditure approved by the Minister.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 15 *do stand part of the Bill, put and agreed to.*

Clause 16: Annual Report:

(1) The Service shall, as soon as practicable after each thirtieth day of December occurring after the commencement of this Act, prepare and furnish to the Minister a report on the operation of the Service during the year ended on that date, together with financial statements in respect of that year in such form as the Auditor-General of the Federation approves.

(2) Before furnishing the financial statements to the Minister, the Service shall submit to the Auditor - General of the Federation.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 16 *do stand part of the Bill, put and agreed to.*

Clause 17: Power to accept gift:

(1) The Service may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Service shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with functions and objectives of the Fund.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 17 *do stand part of the Bill, put and agreed to.*

Clause 18: Power to borrow:

(1) The Service may from time to time, borrow by way of overdraft or otherwise such sums as it may require for the performance of its functions under this Act.

(2) Where the sum to be borrowed is in foreign currency, the Service shall seek and obtain the approval of the Minister through the Board.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 18 *do stand part of the Bill, put and agreed to.*

Clause 19: Power to enter into contract:

No committee of the Service or any person or body engaged by it, and notwithstanding anything in the terms of reference:—

(a) shall carry on any activity on behalf of the Service unless the consent of the Board is obtained; and

(b) shall enter into any contract with any other person or body, except with the consent of, or in accordance with the terms of any general authority given by the Board.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 19 *do stand part of the Bill, put and agreed to.*

Clause 20: Power to acquire land:

(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Service may, subject to the provisions of the Land Use Act, 1978:—

(a) purchase or take on lease any interest in land, building or property; and

(b) build, equip and maintain offices and premises

(2) The Service may, subject to the provisions of the Land Use Act, 1978, sell or lease any office or premises held by it, which is no longer required for the performance of its functions under this Act.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 20 do stand part of the Bill, put and agreed to.

PART V — MISCELLANEOUS

Clause 21: Power of Authorized Officer:

Authorised Officer shall:—

(a) inspect, examine and take samples of any plant, plant products, animal, animal products, aquatic resources and its products or regulated articles and subject such samples for further sanitary or phytosanitary action;

(b) enter and search at all reasonable time and with such assistance, if any, as he considers necessary, any area or premises if he has a reason to believe that an offence under this Act has been, is being or is about to be committed or for the purpose of satisfying himself that the provisions of this Act are being compiled with after identifying himself by making available the identity card issued to him by the Service;

(c) request the consignee to produce an import permit, health certificate and any other documentation required under this Act and an authorized officer shall not, in the exercise of power conferred under this session enter into any building or part of a building, place or residence without being in possession of a warrant issued by a competent authority;

(d) inspect, examine and make copies of the permits, Health certificates or other documents or of the extracts from registers or records kept by the persons found on the premises and seize any permit, certificates or any other document if the authorized officer have reason to suspect that all or any of the documents may be useful as evidence in the prosecution of an offence under this Act.

(e) search any person, baggage, package, conveyance or any other regulated article upon entry into or exit from Nigeria;

(f) make such examination and inquiries as he deems fit in order to ascertain whether the provisions of this Act are being complied with and for that purpose stop any conveyance;

(g) stop the distribution, sale or use of any plant or plant products, animal and animal products, aquatic resources and its products or regulated articles and seize same if he has reason to believe that they are being distributed, sold or used in contravention of the provisions of this Act;

(h) order at the owners expense, the treatment or disposal including reshipment and confinement in quarantine sites for plants, plant products, animal and animal products, aquatic resources and its products or regulated articles imported into Nigeria, whether or they are covered by import permits and health certificates, as well as the treatment of incoming conveyances as he may consider necessary for the prevention of the spread of any regulated pest or diseases which he has reasonable grounds to believe is or are among such plants, plant products, animal, and animal products, aquatic resources and its products or regulated articles;

(i) be present when the official service seal on containers containing plant, plant products, animal, and animal products, aquatic resources and its products or regulated articles are being broken;

(j) be companied and assisted by police officers as the need arises in the performance of their functions under this section;

(k) order that plants, plant products and other regulated articles imported if found or suspected to be infected with any regulated pest or diseases be destroyed or re-shipped to the country of origin or they shall direct such plant products, animal, and animal products, aquatic resources and its products or regulated articles should not be granted entry into Nigeria unless they are treated in accordance with the existing sanitary and phytosanitary, regulations of the Service, reshipping to country or be destroyed;

(l) refuse to issue phytosanitary certificate for plants, plant products, health certificates for animal and fish products and other regulated articles on exportation where request for sanitary and phytosanitary certificates are found or suspected not be in compliance with sanitary requirements of the importing country until they have been so treated;

(m) conduct inspection and animal diseases surveillance of trade animals which shall be accompanied with veterinary movement and loading permit at the inter-state veterinary control posts; and

(n) exercise such other powers as the Service may deem necessary to delegate for carrying out the purposes of this Act.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 21 *do stand part of the Bill, put and agreed to.*

PART V - MISCELLANEOUS

Clause 22: **Power of Authorised Officer.**
Authorised Officer shall:

(a) inspect, examine and take samples of any plant, plant product, annual, animal products, fish and fishery product or regulated articles and send such samples for further sanitary or phytosanitary action;

(b) enter and search at all reasonable time and with such assistance, if any, as he considers necessary, any area or premises if he has a reason to believe that an offence under this Act has been, is being or is about to be committed or for the purpose of satisfying himself that the provisions of this Act are being compiled with after identifying himself by making available the identity card issued to him by the Service;

(c) ask the consignee to produce an import permit or health certificate or other documentation required under this Act, provided that no officer shall in the exercise of the power conferred by this section, enter into any building or part of a building which is used exclusive as a private dwelling place or residence on board of any seas going ship or vessel unless he shall have been authorized by a warrant issued by a competent authority;

(d) inspect, examine and make copies of such permits, certificates and documentation or take extracts from registers or records kept by such persons and seize them if they have reason to believe that all or any of them may be evidence of the commission of an offence punishable under this Act;

(e) search any person, baggage, package, conveyance or any other regulated article upon entry into or exit from Nigeria;

(f) make such examination and inquiries as he thinks fit in order to ascertain whether the provisions of this Act are being compiled with and for that purpose stop any conveyance;

(g) stop the distribution, sale or use of any product, animal products, fish, fish products or regulated articles and seize same if he has reason to believe that they are being distributed, sold or used in contravention of the provisions of this Act;

(h) order at the owners expense, the treatment or disposal including reshipment and confinement in quarantine sites of plants, products, animal, animal products, fish, fish products or regulated articles imported into Nigeria, whether or not they are covered by imported permits or health certificates, as well as the treatment of incoming conveyances as he may consider necessary for the prevention of the spread of any regulated pest or diseases which he has reasonable grounds to believe is or are among such plants, plant products, animal, animal products, fish, fish products or regulated articles;

(i) be present when the official service seal on containers containing products, animal, animal products, fish, fish products or regulated articles are being broken;

(j) be accompanied and assisted by Police Officers in the performance of their functions under this section;

(k) order that plants, plant products and other regulated articles imported if found or suspected to be infected with any regulated pest of diseases be destroyed or re-shipped to the country of origin or they shall direct such plants products, animal, animal products, fish, fish products or regulated articles should not be granted entry into Nigeria unless they are treated in accordance with the existing sanitary and phytosanitary, regulations of the Service, reshipping to country or be destroyed;

(l) refuse to issue phytosanitary certificate for plants, plant products, health certificates for animal and fish products and other regulated articles on exportation where request for sanitary and phytosanitary certificates are found or suspected not to be in compliance with sanitary requirements of the importing country until they have been so treated;

(m) conduct inspection and animal diseases surveillance of trade animals which shall be accompanied with veterinary movement and loading permit at the inter-state veterinary control posts; and

(n) exercise such other powers as the service may deem necessary to delegate for carrying out the purposes of this Act.

Committee's Recommendation:
Leave out the provision in Clause 22 (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Clause 23: Offences:

It shall be an offence to:—

(a) grow, rear, possess, sell, offer for sale, transport or distribute in any manner any plant, plant product, animal, and animal product, aquatic resources and its products or regulated article knowing them to be imported into Nigeria contrary to this Act;

(b) assault, resist, threaten or willfully obstruct any authorized officer from exercising his lawful function under this Act;

(c) fail to comply with any order to directive lawfully made or given under this Act;

(d) import any plant, plant product, animal, animal product, fish, fish product or regulated articles contrary to any requirements prescribed under this Act;

(e) fail to allow a search or inspection authorized under this Act;

(f) knowingly or recklessly provide information which is false for the purpose of obtaining any document under this Act; and

(g) alter, forge, deface or destroy any document issued under this Act.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 23 *do stand part of the Bill, put and agreed to.*

Clause 24: Penalties:

(1) Any person who commits an offence under section 20 of this Act shall —

(a) on a first summary conviction be sentenced to imprisonment for a period of 1 year or fine of 100% of the market value of the plants, plant products, animal and animal products, aquatic resources and its products or regulated articles or both; and

(b) on a second summary conviction be sentenced to imprisonment for a period of 2 years or fine of 200% of the market value of the plants, plant products, animal, and animal products, aquatic resources and its products or regulated articles or both.

(2) In addition, in the case of second summary conviction, the Service may suspend the rights of the person temporarily to import as well as to perform any activities accredited by the Service.

(3) In all cases, all plants, plant products, animal, and animal products, aquatic resources and its products or regulated articles imported into Nigeria in contravention of this Act, rules, orders or regulations there under shall be subject to reshipments, confiscation and destruction at owners cost

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 24 *do stand part of the Bill, put and agreed to.*

PART VI — LEGAL PROCEEDINGS

Clause 25: **Indemnity:**
A member, the Director - General or any employee of the Service shall be indemnified out of the asset of the Service against any liability incurred by him in defending any proceeding, whether civil or criminal, if any such proceeding is brought against him in his capacity as a member, Director General or employee of the Service.

Committee's Recommendation:
That the provision in Clause 25 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) — *Agreed to.*

Question that Clause 25 do stand part of the Bill, put and agreed to.

Clause 26: **Execution of deeds:**

(1) All deeds, instruments, contracts and other documents shall be duly executed by or on behalf of the Service if sealed with the seal of the Service and signed by the Director - General or any other person not below the rank of a Director appointed by the Board for that purpose.

(2) A deed, instrument, contract or other document executed in accordance with subsection (1) shall, subject to any exception that may be taken thereto on any ground other than that of competence of the party executing the same on behalf of the Service, be effectual in law to bind the Service and its successors and may be varied or discharged in like manner as that in which it was executed.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) — *Agreed to.*

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: **Limitation of suits against the Service:**

(1) No suit shall be instituted against the Service or its employees unless it commenced

(a) within three months after the act, neglect, or default complained of; and

(b) in the case of continuation of damage or injury, within six months after the ceasing thereof.

(2) No suit shall commence against the Board, Director - General or any employee of the Service before the expiration of a period of one month, after written notice of intention to commence the suit shall have been served on the Service by the intending plaintiff or his agent.

(3) The notice referred to in subsection (2) of this Section shall clearly state the—

(a) cause of action;

(b) particulars of the claim;

(c) name and place of abode of the intending plantiff; and

(d) relief which he claims.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) — *Agreed to.*

Question that Clause 27 do stand part of the Bill, put and agreed to.

Clause 28: **Service of documents:**
The notice or other documents required or authorized to be served on the services under the provisions of this Act or any other law may be served by:—
(a) delivering the same to the office of the Director - General; or

(b) sending it by registered post addressed to the Director - General at the Head Office of the Service.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) — *Agreed to.*

Question that Clause 28 do stand part of the Bill, put and agreed to.

Clause 29: **Interpretation:**
In this Act:
"Authorised Officer" means quarantine inspector in the Pre-Entry and Post Entry border post of the Service;

Question: That the word " Authorised Officer" defined in the Interpretation to this Act, put and agreed to.

"Agricultural economy" means the relationship between agricultural production, trade and the derivable revenue for the benefit of the country International conventions, Agreements and International Organizations under this Act include the World Animal Health Organization, International Plant Protection Convention, Codex, Alimentations, Sanitary and Phytosanitary, International Office of Epizootics and the World Trade Organization;

Question: That the words "Agricultural economy" defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with responsibility for matter relating to agriculture and Ministry shall be construed accordingly;

Question: That the word " Minister" defined in the Interpretation to this Act, put and agreed to.

"Phytosanitary measures" means: All actions taken towards ensuring good health and pest/disease free statue of the plants/plant products.

Question: That the words "Phytosanitary measures" defined in the Interpretation to this Act, put and agreed to.

These include: inspection &treatment where necessary.
"Regulated Articles' means: Articles whose importation into a territory are controlled and guided by law.

Question: That the words "Regulated Articles" defined in the Interpretation to this Act, put and agreed to.

"Board" means the Governing Board of the Service established by section 2 of this Act;

Question: That the word " Board" defined in the Interpretation to this Act, put and agreed to.

"Chairman" means the Chairman of the Board;

Question: That the word " Chairman" defined in the Interpretation to this Act, put and agreed to.

"Director General" means the Chief Executive of the Service and Chairman of the Management Committee;

Question: That the word " Director General" defined in the Interpretation to this Act, put and agreed to.

"Functions" includes power and duty;

Question: That the word " Functions" defined in the Interpretation to this Act, put and agreed to.

"Fund" means the account established by section 8 (1);

Question: That the word " Fund" defined in the Interpretation to this Act, put and agreed to.

"Member" means an individual representing an organization or institution in (the Board and includes the Chairman and Director General);

Question: That the word " Member" defined in the Interpretation to this Act, put and agreed to.

"Service" means the Service established by section 1 (1).

Question: That the word " Service" defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) *— Agreed to.*

Question that Clause 29 do stand part of the Bill, put and agreed to.

Clause 30: **Short title:**
This Act may be cited as the Nigeria Agricultural Quarantine Service (Establishment, etc.) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 30 be retained (*Senator Abdullahi Adamu — Nasarawa West Central*) *— Agreed to.*

Question that Clause 30 do stand part of the Bill, put and agreed to.

SCHEDULE 1

Section 2

Supplementary Provisions relating to the Board

Proceedings of the Board

(1) The Board shall meet and deliberate on the affairs of the Service at least twice in one year.

(2) At any meeting of the Board:—

(a) six members shall form a quorum, but in determining whether a quorum has been constituted the presence of any person invited to offer opinion or tender documents shall not be considered;

(b) the Chairman, or in his absence, the member elected by the members present to act as Chairman, shall preside;

(c) where the Board wishes to obtain the advice of any person on any particular matter, the Board may invite any person as it thinks fit, but any person who is invited by virtue of this sub paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum; and

(d) the Chairman or a member presiding has a deliberative vote and, in the event of equality of votes, also has a casting vote.

2. The Board may, if thinks fit, transact any of the business by the circulation of papers, and resolution in writing approved in writing by a majority of the members thereof shall be as valid and effectual as if it had been passed at a meeting of the Board by the votes of the members so approving the resolution.

3. (1) If any member has any beneficial interest in any land or building situate in an area comprised in any project of the Service, or has any beneficial interest in any company or undertaking with which the Service proposes to make any contract, or has an interest in any such contract, he shall forthwith disclose to the Board the fact and the nature of such interest, and such disclosure shall be recorded in the minutes of the Board, and thereafter such member shall take no further part in any deliberation or decision of the Board relating to such project or contract.

(2) Any member disclosing any interest in any project or company or undertaking in which the Service proposes to make any contract shall be disregarded for the purposes of constituting a quorum of the Board for any such deliberation or decision.

(3) For the purposes of subsection (1) of this section a general notice given at a meeting of the Board by a member to the effect that he is a member of a specified company or firm and is to be regarded as interested in any transaction or project of the service concerning the company or firm, shall be regarded as a sufficient disclosure of his interest in relation to that transaction or project.

(4) A member need not attend in person at a meeting of the Board in order to make any disclosure which he is required to make under this section if he takes reasonable steps to secure that the disclosure is made by notice which is brought up and read at the meeting.

(1) The Board may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the Service and without prejudice to the generality of the foregoing, such regulations may provide for:—

(a) the appointment, promotion, termination, dismissal or other disciplinary control of the staff of the Service;

(b) appeals/petitions by such staff against dismissal or other disciplinary measures, and until such regulations are made any instrument relating to the conditions of service of officers in the public service of the Federation shall be applicable, with such modifications as may be necessary; and

(c) the Board shall be responsible for the policy guidelines for the Service.

(2) The Board may make regulations with respect to:—

(a) the quorum, proceedings and meetings of the Board and the determination of the Board;

(b) the execution of instruments and the mode of entering into contracts by or on behalf of the Board, and the proof of documents purporting to be executed, issued or signed by the Board, or an Officer or servant of the Service

(3) Until such regulation is made relevant sections of this Act shall apply to regulate the quorum, proceedings, meetings and determination of the Board.

(4) The Board may from time to time, by resolution, appoint, constitute, discharge, alter, continue or reconstitute any committee to advise the Board on such matters concerning the functions of the Service as it sees fit.

(5) Any person may be appointed to be a member of a committee not withstanding that he is a member of the Board.

(6) Subject to any direction given by the Board every committee may regulate its own procedure.

Question that paragraphs 1,2, to 3 do stand part of the First Schedule to the Bill, put and agreed to.

SCHEDULE II

Section 7(5)

NIGERIA AGRICUTURAL QUARANTINE SERVICE (NAQS)

PARA-MILITARY RANKING

1. Inspector of Quarantine GL05
2. Inspector of Quarantine II GL06
3. Inspector of Quarantine I GL07
4. Assistant Superintendent of Quarantine (ASQ II) GL08
5. Assistant Superintendent of Quarantine (ASQ I) GL08
6. Deputy Superintendent of Quarantine (DSQ) GL09

7. Superintendent of Quarantine (SQ) GL10

8. Chief Superintendent of Quarantine (CSQ) GL12

9. Assistant Comptroller of Quarantine (ACQ) GL13

10. Deputy Comptroller of Quarantine (DCQ) GL14

11. Comptroller of Quarantine (CQ) GL15

12. Assistant Comptroller General of Quarantine (ACGQ) GL16

13. Deputy Comptroller General of Quarantine (DCGQ) GL17

14. Director General/Comptroller General of Quarantine (DG/CGQ)

OTHER RANKS

1. Drivers

2. Cleaners

3. Clerical Staff GL01 - GL04

4. Security

Question that paragraphs 1,2,3,4,5,6,7,8,9,10,11,12,13,14 to other Ranks do stand part of the Second Schedule to the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agriculture and Rural Development on the Nigerian Agricultural Quarantine Service Bill, 2016 and approved as follows:

Clauses 1- 30 — As Recommended

Schedules — As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Motion made: That the Bill be now Read the Third Time *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

8. **Committee on Finance:**
Report on the Nigeria Sovereign Investment Authority (Establishment, etc.) Act 2011 (Amendment) Bill, 2016 (SB. 38):
Motion made: That the Senate do consider the Report of the Committee on Finance on the Nigeria Sovereign Investment Authority (Establishment, etc.) Act 2011 (Amendment) Bill, 2016 (*Senator John O. Enoh — Cross River Central*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Deputy Senate Leader).*

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NIGERIA SOVEREIGN INVESTMENT AUTHORITY (ESTABLISHMENT, ETC.) ACT, 2011 TO ALIGN IT WITH THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, RESTORE THE SOVEREIGNTY OF THE NAIRA AS THE NATIONAL CURRENCY, ENSURE TRANSPARENCY OF ITS FUNDING AND ENTRENCH PARLIAMENTARY ACCOUNTABILITY AND FOR OTHER MATTERS CONNECTED THEREWITH

PART I — ESTABLISHMENT, FUNCTIONS, POWERS ETC. OF THE NIGERIA SOVEREIGN INVESTMENT AUTHORITY

Clause 1. **Amendment of the Nigeria Sovereign Investment Authority Act No. 15, 2011.**

The Nigeria Sovereign Investment Authority Act (hereinafter referred to as the "principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained *(Senator John O. Enoh — Cross River Central) — Agreed to.*

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

Clause 2: **Amendment of section 1.**

(1) There is established the Nigeria Sovereign Investment Authority (in this Act referred to as "the Authority").

(2) The Authority —

(a) shall be a body corporate with perpetual succession and a common seal; and

(b) may sue and be sued in its corporate name.

(3) Subject to the limitations contained in this Act, the Authority may acquire, hold and dispose of moveable and immoveable property for the purpose of its functions and objects under this Act.

(4) Except as otherwise provided in this Act, the Authority shall be independent in the discharge of its functions and shall not be subject to the direction or control of any other person or authority.

Committee's Recommendation:
That the provision in Clause 2 be retained *(Senator John O. Enoh — Cross River Central) — Agreed to.*

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

PART II — GOVERNING COUNCIL, BOARD OF DIRECTORS AND EXECUTIVE MANAGEMENT

Clause 3. Amendment of section 7.

Establishment of the Governing Council of the Authority.

(1) There shall be for the Authority the Governing Council (in this Act referred to as the "Governing Council").

(2) Except as otherwise provided under this Act, the Council shall provide advice and counsel generally to the Board having regard to the objects of the Authority under this Act.

(3) The Council shall, in the discharge of its duties, observe the independence of the Board and officers of the Authority.

(4) Unless otherwise stated in this Act, any resolution of the Council shall be passed bytwo-third (2/3) of all members of the Council."

(5) the Council has the responsibility of presenting the Annual Budget of the Authority to the National Assembly for approval"

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator John O. Enoh — Cross River Central*) — *Agreed to.*

Question that Clause 3 *do stand part of the Bill, put and agreed to.*

Clause 4: Amendment of Section 8.

Section 8 of the Principal Act is amended by inserting new subsection 5 as follows —

"(5) The appointments in subsections (i), (j), (k), (l) shall comprise two members each from six geopolitical zones of the country (*Senator John O. Enoh — Cross River Central*).

Amendment Proposed.

Leave out the Provision in Clause 4, and *insert* the following instead thereof:

"(1) The Council shall consist of:

(a) The President of the Federal Republic of Nigeria (who may be represented by the Vice President of the Federal Republic of Nigeria), who shall be the Chairman;

(b) Each of the State Governors;

(c) The Attorney-General of the Federation;

(d) The Minister;

(e) The Minister in charge of the National Planning Commission;

(f) The Governor of the Central Bank of Nigeria;

(g) The Chief Economic Adviser to the President;

(h) The Chairman of the Revenue Mobilisation, Allocation and Fiscal commission;

(i) 4 reputable individuals representing the private sector with cognate experience in finance, economics, investments, or other related areas of expertise;

(j) 2 representatives of civil society such as members of non-governmental organisations and professional organization focused on civil rights;

(k) 2 representatives of Nigerian Youth; and

(l) 4 eminent academics.

(2) In nominating the Council, due regards shall be given to equitable gender representation."

(3) With the exception of the members listed in subsection (4) (a), (b), (c), (d), (e), (f), (g) and (h) of this section, the members of the Council shall be appointed by the President on the recommendation of the Minister, who shall consult with the National Economic Council on an informal basis.

(4) The appointments in subsection (i), (j), (k), (l) shall be subject to confirmation by the Senate (*Senator Bala Ibn Na'Allah — Kebbi South*).

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

Another Amendment Proposed:
Immediately after the word "Minister" in Subclause 1(d) *insert* the words "of Finance"(*Senator Joshua M. Lidani — Gombe South*).

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

Question that Clause 4 as amended do stand part of the Bill, put and agreed to.

Clause 5: **Amendment of section 12.**
Section 12 of the Principal Act is amended by inserting Amendment of Section 12 subsections (1) and (2)as follows —

(1) the Authority shall provide written quarterly reports on its operations to the relevant Committees of both-Houses of the National Assembly and specifically with respect to its assets, liabilities, redemptions, realizations, sales and the extent to which it has met its set Investment objectives.

(2) Provided that the relevant Committee of both Houses of the National Assembly shall make half-yearly reports of matter contained in section 12(1) to be sent to the Senate and House of Representatives, respectively.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator John O. Enoh — Cross River Central*) — *Agreed to.*

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: **Amendment of section 13.**
new subsection (1) is inserted as follows —

(1) The Council shall hold meetings such that, would enable it discharge the-duties imposed on it under this Act. Subsection (3) is also delet (*Senator John O. Enoh — Cross River Central*).

Amendment Proposed:
Immediately after the word "meetings" *insert* the words "twice in a year" (*Senator Joshua M. Lidani — Gombe South*).

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

Question that Clause 6 as amended do stand part of the Bill, put and agreed to.

Clause 7: **Amendment of section 14.**
Advisory Sub-Committee of the Governing Council.

(1) The Council may constitute a sub-committee comprising members of the Council with demonstrated experience in the international investment industry to assist in the discharge of its functions under this Act.

(2) Any such committee constituted pursuant to subsection (I) of this section shall be entitled to meet with the Board twice a year to raise questions.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator John O. Enoh — Cross River Central*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: **Amendment of Clause 16**
Section 16 of the principal Act is amended by inserting a new subsection (4) paragraphs (1) and (2) as follows —
"(4)(1) The six non-Executive Directors appointed by President as set out in sub-section (1) of this section shall comprise One member each from the six-geopolitical zones of the country.

(4)(2)All appointments by the President in subsection (1) of this section shall be subject to confirmation by the Senate."

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator John O. Enoh — Cross River Central*) — *Agreed to.*

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: **Amendment of Clause 25**
Independence of the Board.

(1) The Board shall be independent in the exercise of its responsibilities under this Act.

(2) Without prejudice to the provision of sub-section (1) of this section and except as expressly provided in this Act, the Council may not, by resolution or otherwise, require the directors to take, or to refrain from taking, any specified action.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator John O. Enoh — Cross River Central*) — *Agreed to.*

Question that Clause 9 do stand part of the Bill, put and agreed to.

Further consideration of the Report deferred to another Legislative Day.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Finance on the Nigerian Sovereign Investment Authority (Establishment, etc.) Act 2011 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 3	—	As Recommended
Clause 4	—	As Amended
Clause 5	—	As Recommended
Clause 6	—	As Amended
Clauses 7- 9	—	As Recommended

Further consideration of the Report deferred to another Legislative Day.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

9. **Committee on Air Force:**
Report on the Air Force Institute of Technology (Establishment, etc.) Bill, 2016 (SB. 180):
Motion made: That the Senate do receive the Report of the Committee on Air Force on the Air Force Institute of Technology (Establishment, etc.) Bill, 2016 (*Senator Duro S. Faseyi — Ekiti North*).

Question put and agreed to.

Report Laid.

10. **Committee on Police Affairs:**
Report on the Traffic Warden Service Bill, 2016 (SB. 100):
Motion made: That the Senate do consider the Report of the Committee on Police Affairs on the Traffic Warden Service Bill, 2016 (*Senator Abu Ibrahim — Katsina South*).

Question put and agreed to.

Report presented.

Debate:

By leave of the Senate Bill withdrawn.

11. **Committee on Establishment and Public Services:**
Report on the Chartered Institute of Management Accountants of Nigeria (Establishment, etc.) Bill, 2016 (SB. 236):

Consideration of Report deferred to another Legislative Day.

12. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Non- payment of Compensation for Lands:

Consideration of Report deferred to another Legislative Day.

13. **Committee on Interior:**
Report on the Nigerian Peace Corps (NPC) Bill, 2016 (SB. 173 & SB. 183):

Consideration of Report deferred to another Legislative Day.

14. **Joint Committee on Information and National Orientation; and Trade and Investment:**
Report on the Unwholesome Practices by Multi-choice Nigeria (DSTV):

Consideration of Report deferred to another Legislative Day.

15. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Alleged Double Allocation of Plot No. 2022:

Consideration of Report deferred to another Legislative Day.

16. **River Basin Development Authority Act CAP R9 LFN 2004 (Amendment) Bill, 2016 (SB.358):**
Motion made: That a Bill for an Act to amend the River Basin Development Authority Act CAP R9 LFN 2004 be read the Second Time (*Senator Ike Ekweremadu — Enugu West*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Water Resources to report within Four (4) weeks.

17. **River Basin Development Authority Act CAP R9 LFN 2004 (Amendment) Bill, 2016 (HB. 58,235, and 350):**
Motion made: That a Bill for an Act to amend the River Basin Development Authority Act CAP R9 LFN 2004 be read the Second Time (*Senator Ike Ekweremadu — Enugu West*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Water Resources to report within Four (4) weeks.

18. **Official Secrets Act CAP 03 LFN 2004 (Amendment) Bill, 2016 (HB. 317 & 426):**
Motion made: That a Bill for an Act to amend the Official Secrets Act CAP 03 LFN 2004 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

19. **National Film and Video Censors Board Act CAP N40 LFN 2004 (Amendment) Bill, 2016 (HB.224):**
Motion made: That a Bill for an Act to amend the National Film and Video Censors Board Act CAP N40 LFN 2004 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

20. **Pension Rights of Judges Act CAP P5 LFN 2004 (Amendment) Bill, 2016 (HB. 06):**
Motion made: That a Bill for an Act to amend the Pension Rights of Judges Act CAP P5 LFN 2004 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

21. **Federal Capital Territory District Courts (Establishment, etc) Bill, 2016 (HB. 07):**
Motion made: That a Bill for an Act to amend the Federal Capital Territory District Courts (Establishment, etc) Bill, 2016 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

22. **Mortgage Institutions Act CAP M19 LFN 2004 (Amendment) Bill, 2016 (HB. 253):**
Motion made: That a Bill for an Act to amend the Mortgage Institutions Act CAP M19 LFN 2004 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

23. **Oaths Act CAP O1 LFN 2004 (Amendment) Bill, 2016 (HB. 169):**
Motion made: That a Bill for an Act to amend the Oaths Act CAP 01 LFN 2004 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

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

24. **Nigerian Investment Promotion Commission Act CAP N117 LFN 2004 (Amendment) Bill, 2016 (HB. 248):**
Motion made: That a Bill for an Act to amend the Nigerian Investment Promotion Commission Act CAP N117 LFN 2004 be read the Second Time (*Deputy Senate Leader*).

Debate:

Question put and agreed to.

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

25. **Dangerous Drugs Act CAP D1 LFN 2004 (Amendment) Bill, 2016 (HB. 292):**
Motion made: That a Bill for an Act to amend the Dangerous Drugs Act CAP D1 LFN 2004 be read the Second Time (*Deputy Senate Leader*).

Debate:

Question put and agreed to.

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

26. **Adjournment:**
Motion made: That the Senate do now adjourn till Tuesday, 15th November, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:57 *p.m.*

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