



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 13th October, 2016

1. The Senate met at 10:08 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**

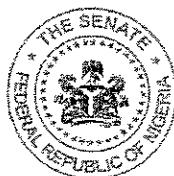
The Senate examined the Votes and Proceedings of Wednesday, 12th October, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(a) ***Invitation to the Coronation Ceremonies of the Oba of Benin:***

The Senate President read a letter from Senator Matthew A. Urhoghide (*Edo South*) as follows:



Senator (Pharm.) Matthew A. Urhoghide (FPSN, FNAPharm)

Edo South Senatorial District

Chairman, Senate Committee On Culture & Tourism

Vice Chairman, Senate Committee on Health

October 13, 2016

*Senate President,
National Assembly,
Three Arms Zone,
FCT, Abuja.*

Sir,

Reminder and Invitation to the Coronation Ceremonies of the Oba of Benin

I humbly write, on behalf of my family; the Benin Traditional Council; the Organizing Committee and the good people of Edo South Senatorial District, to remind and invite you and the entire members of the 8th Senate of the Federal Republic of Nigeria to the ceremonies to mark the Coronation of Ambassador Eheneden Ere'diauwa as the new Oba of the Benin Kingdom.

2. *The Benin Monarchy is one of the very few consistently hereditary monarchies in the world and marks the zenith of tradition, culture and a rich history that will be witnessed by the entire world. The event will hold on Thursday October 20, 2016 at 10.00am in Benin City, Edo State and the attendance of members of this respectable House will make that history richer.*

3. *Please accept my sincere gratitude for your acceptance of this invitation whilst looking forward to having you at the event.*

Sincerely Yours,

(Signed)

Senator (Pharm.) Matthew A. Urhoghide (FPSN, FNAPharm.)

Chairman, Senate Committee on Culture and Tourism

Vice Chairman, Senate Committee on Health

(b) Acknowledgment:

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

(i) Staff and Students of the Incubators Secondary Academy, Nissi Village, Mararaban Rido, Kaduna, Kaduna State; and

(ii) Staff and Students of FAMA Islamic International School, Gwarinpa, Abuja.

4. Presentation of Bills:

(i) Pension Rights of Judges Act CAP P5 LFN 2004 (Amendment) Bill, 2016 (HB. 6) — *Read the First Time.*

(ii) Federal Capital Territory District Courts (Establishment, etc) Bill, 2016 (HB. 7) — *Read the First Time.*

(iii) River Basin Development Authority Act CAP R9 LFN 2004 (Amendment) Bill, 2016 (HB.58, 235, 350) — *Read the First Time.*

(iv) Compulsory Treatment and Care of Victims of Gunshots Bill, 2016 (HB.119) — *Read the First Time.*

(v) National Film and Video Censor Board Act CAP N40 LFN 2004 (Amendment) Bill, 2016 (HB. 224) — *Read the First Time.*

5. Committee on Judiciary, Human Rights and Legal Matters:

Report on the Sexual Harassment in Tertiary Institutions Bill, 2016 (SB. 262):

Motion made: That the Senate do receive the Report of the Committee on Judiciary, Human Rights and Legal Matters on the Sexual Harassment in Tertiary Institutions Bill, 2016 (*Senator David Umaru — Niger East*).

Question put and agreed to.

Report Laid.

6. Committee on Agriculture and Rural Development:

Report on the Food Security Bill, 2016 (SB. 71):

Motion made: That the Senate do consider the Report of the Committee on Agriculture and Rural Development on the Food Security 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
(*Senate Leader*)

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO MAKE PROVISION FOR FREEDOM FROM HUNGER AND THE RIGHT TO ADEQUATE FOOD OF ACCEPTABLE QUALITY; THE RIGHT OF EVERY CHILD TO BASIC NUTRITION AND FOR CONNECTED PURPOSES 2016.

PART I — ESTABLISHMENT OF THE FOOD SECURITY BILL

Clause 1: Establishment of the Agency.

- (1) There is established an Agency to be known as the Food Security Agency.
- (2) The Agency shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—
 - (a) suing and being sued;
 - (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
 - (c) borrowing and lending money;
 - (d) entering into contracts; and
 - (e) doing or performing all other things or acts for the proper performance of its functions under this Act which may be lawfully done or performed by a body corporate.

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: Functions of the Agency.

- (1) The functions of the Agency shall be to—
 - (a) formulate strategies, plans and programmes to facilitate the realization of the right to food taking into consideration the rights of vulnerable and marginalized persons;
 - (b) monitor and evaluate the implementation of policies, plans and strategies on food security and nutrition in Nigeria by the State Food Security Committees;
 - (c) appraise and review the levels of access to food by all Nigerians, in terms of quantity and quality and liaise with State Food Security Committees and relevant agencies in ensuring optimal access;
 - (d) collaborate with the relevant Agencies and stakeholders in the establishment of appropriate mechanisms that ensure access by food-poor persons to adequate food in both quantity and quality;

- (e) promote measures to improve security and access to land and water resources and the optimum and sustainable utilization of these resources;
 - (f) monitor the issuance and administration of the food eligibility card to eligible Nigerians by the State Food Security Committees to ensure that food-poor persons access food with ease and in a timely manner;
 - (g) monitor the implementation of the food distribution programme and the food subsidy programme by the State Food Security Committees;
 - (h) monitor and evaluate the implementation of policies, plans and strategies on food security and nutrition in Nigeria and provide feedback to all relevant ministries, agencies and actors concerned with food production, storage and sale for their further action; and
 - (i) in consultation with the National Emergency Management Agency, and the National Agency for Food and Drug Administration carry out emergency response and mitigation programmes including, where appropriate, food distribution and feeding programmes in the case of a food emergency or whose residents are affected by malnutrition.
- (2) In performing its functions under subsection (1), the Agency shall—
- (a) collaborate with the relevant public entities —
 - (i) in putting in place measures to address factors that hinder the realization of the right to food and freedom from hunger; and
 - (ii) in ensuring that their economic and social programmes and activities do not negatively affect the human right to food;
 - (b) collaborate with the committees and relevant state and private agencies in carrying out activities that result in the increase and improvement of agricultural production and the availability, access, utilization and stability of food among women and smallholder farmers in order to decrease poverty and hunger, improve health and achieve house hold food and nutrition security;
 - (c) collaborate with the relevant Ministries responsible for matters relating to land in the formulation and implementation of strategies that promote agriculture and land reforms for the purpose of enhancing food security;
 - (d) strengthen the networking and coordination of relevant sectorial and integrated databases on food security and nutrition data by the relevant agencies;
 - (e) promote research, nutrition surveillance, data collection, analysis and the sharing and dissemination of information on food security;
 - (f) formulate in collaboration with the State Food Security Committees, an eligibility criteria index;

- (g) liaise with the relevant Government Agencies for the implementation of economic and social programmes and activities that promote the right to adequate food and freedom from hunger;
- (h) create an e-platform to facilitate the linkages amongst the State Food Security Committees and between the Agency and the committees;
- (i) collaborate with the State Food Security Committees in assisting households affected by emergencies to restore lost livelihood assets, capital and means of food production through emergency programmes linked to long-term initiatives;
- (j) promote diversification and the use of alternative methods of agriculture and livestock systems and the production of diverse food crops to mitigate against drought and other climatic conditions that negatively impact food production; and
- (k) perform such other functions for the better implementation of this Bill or as may be conferred on it under any other written law.

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: Headquarters of the Agency.

- (1) The headquarters of the Agency shall be in Abuja.
- (2) The Agency may establish such other offices anywhere in Nigeria as it may consider necessary for the discharge of its functions under this Bill.

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: Object and purposes

The object and purposes of this Bill are to —

- (a) provide a framework that promotes the realisation of the right to freedom from hunger and access to food of acceptable quality as a fundamental human right;
- (b) provide a framework that promotes the elimination and prevention of discrimination of marginalized groups in the access and distribution of food;
- (c) provide a framework that promotes food production, self-sustenance and food security in relation to all persons in Nigeria;
- (d) provide a framework and mechanisms for the coordinated implementation of the national policy, programmes and plans on food security by the state governments;

- (e) provide a mechanism for ensuring that food-poor persons access food at all times in adequate quantities and quality through the implementation of State sponsored programmes;
- (f) provide for the establishment of institutions that will advance co-operative governance and procedures for coordinating food security functions exercised by the State;
- (g) provide a framework for the planning, budgeting and implementation of the national policy on food security and nutrition using a rights approach and to ensure the participation of rights holders and the accountability of duty bearers;
- (h) guarantee the integration of the needs of vulnerable persons in food and nutrition strategies;
- (i) ensure that food is treated as a national strategic resource;
- (j) ensure that emergency situations that threaten mass access to food are anticipated, mitigated and addressed with equity and speed; and
- (k) provide for a cross-sectoral networking platform comprising all relevant ministries, agencies and actors concerned with the production, storage, and sale of food for purposes connected to ensure access to food by all Nigerians at all times.

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: Guiding principles.

All persons under this Bill shall, in the performance of their functions under this Bill, be guided by the following principles —

- (a) universality, non-discrimination and equity in the access to adequate food;
- (b) preservation of the freedom and dignity of every human being;
- (c) accountability of duty bearers and transparency in the food sector, particularly emergency food aid;
- (d) coordinated public participation in the formulation, implementation, monitoring and control of policies and plans related to food and nutrition security in every sector of government;
- (e) integrity and accountability in the determination of the food-poor status of persons taking into account any other assistance they are eligible for, including development funds or assistance from the government targeting specific categories of persons including women and the youth for the improvement of their general well being;
- (f) empowerment and capacity building as a means of facilitating the attainment of the right to food;

- (g) targeted empowerment and capacity building initiatives for both at risk persons and persons with limited capability through the application of State sponsored programmes in order to enable those receiving assistance produce or purchase their own food in the shortest time possible;
- (h) transparency in the implementation of programmes and activities relating to food security and the allocation and utilization of public and private resources;
- (i) availability and access to timely and reliable information through the establishment of a simple fair and accessible procedure enabling a person to seek information relevant to the enjoyment of the right to food; and
- (j) ensure that interventions are based on objective information and methods, and monitoring mechanisms and regular evaluations are established, thus ensuring transparency in the public management and social audit and that the needs of the population are taken into account.

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—THE RIGHT TO FOOD

Clause 6: Right to food.

- (1) Pursuant to the provisions of this Bill, every person has the right to be free from hunger and to have adequate food of an acceptable quality.
- (2) For the enjoyment of the right to adequate food and freedom from hunger, the Federal and State Governments shall—
 - (a) respect, protect and fulfill the human right to food and guarantee mechanisms for its enforcement;
 - (b) ensure the availability, accessibility, adaptability and acceptability of food for all in Nigeria by making provision for access to production resources, income, support and maintaining an enabling environment in which households can attain adequate access to food and nutrition through their own efforts;
 - (c) promote the production of diverse crops and foods and put in place measures including irrigation schemes, harvesting schemes and other programmes that ensure the availability of adequate food for all;
 - (d) put in place mechanisms that ensure the availability of farm inputs and implements and other mechanisms of food production in order to facilitate food production;
 - (e) ensure physical access to food that meets the minimum dietary needs of persons or communities suffering from or threatened with starvation;

- (f) put in place adequate infrastructure to facilitate access and circulation of food particularly in areas affected by food insecurity;
- (g) formulate and implement the family support programme and other appropriate programmes targeting—
 - (i) food-poor persons, households and communities for the greater enhancement of their ability to produce or purchase essential food items and commodities in adequate quantities and quality; and
 - (ii) at risk persons and persons with limited capability for the purpose of building their capacity to access food on their own through interventions that mitigate the factors that cause them to be food-poor;
- (h) put in place measures to ensure the availability and accessibility of food for individuals, groups and communities caught up in food emergencies and humanitarian disasters;
- (i) protect individuals, groups and communities from encroachment or interference by any person to the access to food;
- (j) ensure the ability of citizens to feed themselves by protecting citizens from the activities of private actors by establishing protective mechanisms against arbitrary evictions from land, eliminating collusion by private business to control food market-prices, enforcing laws on minimum wages, preventing and remedying pollution of land, water and other sources of livelihood by private actors and guaranteeing the safety of food in the market and such other activities as they may consider necessary;
- (k) take all reasonable measures to ensure that food resources and sources of food production are protected from destruction and are sustained for future use;
- (l) monitor and evaluate strategies and programmes for the realization of the right to be free from hunger and the right to adequate food;
- (m) provide an opportunity for the public to develop their understanding, skills and capacity necessary for achieving equitable and effective participation in the formulation, implementation and monitoring of any policies, strategies or programme interventions aimed at realizing food and nutrition security; and
- (n) guarantee transparency and accountability in the design and implementation of programmes and interventions by ensuring that such programmes and interventions on food security are based on objective information and methods and that they are regularly monitored and assessed.

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: Obligations of the government.

- (1) The Federal and State governments shall to the extent of their constitutional mandate promote the physical and economic access to adequate food of acceptable quality.
- (2) In ensuring that the Federal Government fulfills its obligations under subsection (1), the Agency shall—
 - (a) take measures to create the opportunities and environment in which the right to adequate food can be realised;
 - (b) adopt a comprehensive national strategy and plan of action and policies to promote the realisation of right to adequate food;
 - (c) support the domestic production of diverse foods including the cultivation of traditional crops and ensure that such food is accessible to persons in areas affected by food insecurity;
 - (d) promote traditional and other practices and technologies of food production that ensure the conservation of biodiversity;
 - (e) promote food production by establishing programmes that ensure farmers have adequate farm inputs and implements to carry out food production;
 - (f) promote a food nutrition culture which reappraises local knowledge and makes it possible to develop food and hygiene best practices;
 - (g) create, in consultation with the relevant State executive committee member and the Minister responsible for Trade and Investment, appropriate areas for setting up local and regional food markets;
 - (h) ensure that precautionary measures are taken to mitigate emergencies in relation to the unavailability of food;
 - (i) promote investment in infrastructure to facilitate the movement of foods within local areas and to areas that suffer from food shortages;
 - (j) promote the circulation of and access to timely market information by farmers; and
 - (k) facilitate access to resources and means of production and promoting the effective utilization of resources for maximum food production.

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: Obligation relating to freedom from hunger.

- (1) The Federal and State governments shall, to the extent of their constitutional mandate ensure that the minimum dietary needs of persons who cannot through their own means and for reasons beyond their control access food and basic nutrition for survival, are met.
- (2) In fulfilling their obligations under subsection (1), the Federal and State governments shall—
 - (a) adopt appropriate policies and action plans that promote food security;
 - (b) enhance preparedness to respond to food emergencies and to ensure provision for designated individuals and groups by establishing the institutional framework contemplated in this Bill; and
 - (c) adopt culturally-sensitive responses in ensuring that all persons are free from hunger.
- (3) For purposes of subsection (1), eligibility of a vulnerable person for assistance shall be determined using a probability of an acute diminished access to food at level of consumption, due to environmental, social or economic risks and reduced capacity to cope with such risks.
- (4) The Agency may make regulations setting out the criteria for the identification of eligible persons for the effective implementation of this Bill.

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: Child Nutrition.

- (1) The Federal and State governments shall to the extent of their mandate as set out under the Constitution, promote childhood nutrition.
- (2) The Federal and State governments shall collaborate with such stakeholders as may be necessary to establish and implement programmes that promote child nutrition and food security taking into consideration the interests of vulnerable and marginalized children.

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.

Clause 10: Pregnant and lactating women.

- (1) Every woman has the right to adequate food during pregnancy and lactation.
- (2) The Minister responsible for health shall, in consultation with the Agency—
 - (a) put in place measures to ensure that the special nutrition needs of pregnant and nursing women who are food-poor are met, and assist mothers to provide adequate care for their infants;
 - (b) promote measure that ensure that pregnant and nursing women have access to information about their nutrition needs and those of their children;
 - (c) establish, in consultation with the Agency, programmes, health interventions and monitoring and support systems that promote the health and nutrition of pregnant and lactating women;
 - (d) promote and protect the right of infants to breast milk and to appropriate weaning foods after six months of age and adopt appropriate measures to ensure the enjoyment of the right to food for infants; and
 - (e) adopt measures to provide for food and nutrition needs of orphaned and vulnerable infants.

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: Prohibition of discrimination.

- (1) The governments shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
- (2) Notwithstanding subsection (1), the governments may take such action as they may consider necessary to remedy past effects of discrimination against a person or group of persons and promote equality of opportunities with regard to the right to food.
- (3) Any action taken by the governments under subsection (2) shall not be considered to constitute discrimination as contemplated under subsection (1).

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: Board of the Agency.

- (1) The management of the Agency shall vest in a Board which shall consist of—
 - (a) a chairman appointed by the President and subject to the confirmation of the Senate;
 - (b) the Permanent Secretary responsible for matters relating to agriculture or their designated representative;
 - (c) the Permanent Secretary responsible for matters relating to national planning or their designated representative;
 - (d) the Permanent Secretary responsible for matters relating to public health or their designated representative;
 - (e) the Permanent Secretary responsible for matters relating to finance or their designated representative;
 - (f) the Director General who shall be an ex-officio member, secretary to the Board and chief executive officer of the Agency; and
 - (g) the Director-General NAFDAC or his or her a designated representative.
- (2) The alternative representatives of the members referred to under subsection (1)(b) (i) shall have powers to exercise the powers and functions of the designating Agency in relation to matters before the Board.
- (3) The chairperson of the Board under subsection (1)(a) shall be competitively recruited and appointed by the Minister.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Qualifications for appointment.

A person shall be qualified for appointment as the chairperson of the Board if that person—

- (a) holds a master's degree from a university recognised in Nigeria;
- (b) has knowledge and experience in matters related to food security; and
- (c) has a working knowledge in any of the following fields—
 - (i) land and agrarian reforms;
 - (ii) public health;
 - (iii) sociology; and
 - (iv) statistics.

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: Tenure of office.

The chairperson shall hold office for a term of four years and shall be eligible for reappointment for one further term only.

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: Remuneration of chairperson.

There shall be paid to the chairperson of the Board, such remuneration, fees or allowances as the Salaries and Wages Commission shall determine.

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: Vacation of office.

The office of the chairperson of the Board shall become vacant if the chairperson—

- (a) is unable to perform the functions of his or her office by reason of mental or physical infirmity;
- (b) is otherwise unable or unfit to continue serving as the chairperson of the Board;
- (c) is adjudged bankrupt;
- (d) is convicted of a criminal offence and sentenced to a term of imprisonment of not less than six months;
- (e) is absent, without reasonable cause, from three consecutive meetings of the Board;
- (f) resigns in writing addressed to the President;
- (g) fails to declare his or her interest in any matter being considered or to be considered by the Board; or
- (h) dies.

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: Powers of the Board.

The Board shall have all the powers necessary for the proper performance of its functions under this Bill and in particular, but without prejudice to the generality of the foregoing, the Board shall have power to—

- (a) enter into contracts;
- (b) manage, control and administer its assets in such manner and for such purposes as best promote the purpose for which the Agency is established;
- (c) determine the provisions to be made for its capital and recurrent expenditure and for the reserves of the Agency;
- (d) receive any grants, gifts, donations or endowments and make legitimate disbursements therefrom;
- (e) enter into association with such other bodies or organizations within or outside Nigeria as it may consider desirable or appropriate and in furtherance of the purposes for which the Agency is established;
- (f) open such bank accounts for its funds as may be necessary; and
- (g) invest any funds of the Agency not immediately required for its purposes.

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: Committees of the Board.

- (1) The Board may establish such committees as it may consider necessary for the performance of its functions and the exercise of its powers under this Bill.
- (2) The Board may co-opt any person to sit on any committee established under subsection (1), whose knowledge and skills are found necessary for the performance of the functions of 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: Delegation by the Board.

The Board may by resolution either generally or in any particular case, delegate to any committee of the Board or to any member, officer, employee or agent of the Agency, the exercise of any of the powers or the performance of any of the functions of the Board under this Bill or under any other written law.

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: Conduct of business and affairs of the Board.

- (1) The Board shall conduct its affairs in accordance with the provisions of the First Schedule.
- (2) Except as provided in the First Schedule, the Board may regulate its own procedure.

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.

Clause 21: Director - General.

- (1) There shall be a Director-General of the Agency who shall be competitively recruited and appointed by the Board, on such terms and conditions as the Board shall determine.
- (2) A person shall not be qualified for appointment as a Director-General under subsection (1) unless that person—
 - (a) holds a doctorate degree from a university recognized in Nigeria; and
 - (b) has knowledge and at least ten years' experience in the food security sector.
- (3) The Director-General shall be an ex-officio member of the Board and shall have no right to vote at any meeting of the Board.

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.

Clause 22: Tenure of office of Director - General.

The Director-General shall be appointed for a term of five years and shall be eligible for re-appointment for one further term only.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23: Functions of the Director - General.

- (1) The Director-General shall be the chief executive officer of the Agency and secretary to the Board.
- (2) In exercise of his or her functions under this Act, the Director-General shall, subject to the direction of the Board—
 - (a) be responsible for the day-to-day management of the Agency;
 - (b) manage the funds, property and affairs of the Agency;

- (c) be responsible for the management of the staff of the Agency;
- (d) oversee and coordinate the implementation of the policies, programmes and objectives of the Agency;
- (e) administer the funds provided for the implementation of the food distribution programme and the food subsidy programme both at the Federal and State levels;
- (f) cause to be prepared for the approval of the Board—
 - (i) the strategic plan and annual plan of the Agency; and
 - (ii) the annual budget and audited accounts of the Agency.

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: Removal of the Director - General.

The Board may terminate the appointment of the Director-General in accordance with his or her terms and conditions of service for—

- (a) inability to perform the functions of the office arising out of physical or mental incapacity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or neglect of duty; or
- (d) any other ground that would justify removal from office under the terms and conditions of service.

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.

Clause 25: Staff of the Agency.

- (1) The Board may appoint such officers, agents and staff as are necessary for the proper and efficient discharge of the functions of the Agency under this Bill.
- (2) The staff appointed under subsection (1) shall serve on such terms and conditions as the Board may, in consultation with the Salaries and Wages Commission, determine.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

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

Clause 26: Common seal of the Agency.

- (1) The common seal of the Agency shall be kept in the custody of the Director-General or such other person as the Board may direct, and shall not be used except upon the order of the Board.
- (2) The common seal of the Board shall, when affixed to a document and authenticated, be judicially and officially noticed and unless the contrary is proved, any order or authorization by the Board under this section shall be presumed to have been duly given.
- (3) The seal of the Agency shall be authenticated by the signature of the Director-General and the chairperson of the Board or in the absence of either person, such other member of the Board who shall be designated by the Board for that purpose on his or her behalf.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

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

Clause 27: Protection from personal liability.

- (1) No matter or thing done by an officer or an employee of the Agency shall, if the matter or thing is one bona fide for executing the functions, powers or duties of the Agency, render the officer or employee so acting, personally liable for any action, claim or demand.
- (2) Subsection (1) shall not relieve the Agency from liability to pay compensation or damages to any person for any injury to that person, or other loss caused by the exercise of any power conferred by this Act or any other written law or by the failure of any works of the Agency.

PART IV—THE SECRETARIAT***Committee's Recommendation:***

That the provision in Clause 27 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

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

Clause 28: The Secretariat.

- (1) There shall be a secretariat to the Agency which shall consist of—
 - (a) the Director-General who shall be the head of the secretariat; and
 - (b) such other persons as the Board shall determine for the proper performance of the functions of the secretariat under this Bill.
- (2) The persons under subsection (1)(b) shall be competitively recruited and appointed by the Board on such terms and conditions as the Board shall, in consultation with the Salaries and wages Commission determine.
- (3) The persons appointed under subsection (1)(b) shall possess such knowledge and experience as shall be determined by the Board.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Abdullahi Adamu — Nasarawa West*) —
Agreed to.

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

Clause 29: Functions of the Secretariat.

The functions of the Secretariat shall be to—

- (a) provide technical and administrative services to the Board;
- (b) implement the decisions, strategies, programmes and policies of the Board;
- (c) recommend proposals and offer advice to the Board for the formulation of and implementation of programmes by the Agency;
- (d) on behalf of the Agency, establish and maintain relationships with international, national and local institutions on food security;
- (e) coordinate and monitor the implementation of programmes and plans by State governments on food security;
- (f) make arrangements for periodical evaluation of the policies and programmes in relation to the objects and functions of the Agency; and
- (g) perform such other functions as may be assigned to it by the Agency.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Abdullahi Adamu — Nasarawa West*) —
Agreed to.

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

PART V—STATE FOOD SECURITY COMMITTEES

Clause 30: Establishment of State Food Security Committees.

- (1) There is established in each State of the federation a state food security committee which shall consist of—
 - (a) a person with knowledge and experience in matters relating to food security appointed by the Governor and who shall be the chairperson to the committee;
 - (b) the State executive officer in charge of agriculture in the State who shall be the secretary to the committee;
 - (c) the State executive officer in charge of social services in the state;
 - (d) two persons of the opposite gender, with knowledge and experience in matters relating to food security within the State appointed by the governor; and
 - (e) two persons of the opposite gender, appointed by the governor to represent such special interests within the state as the Governor shall determine.

- (2) A person shall be qualified for appointment subject to sub-section (1)(a), (d) and (e) if that person—
 - (a) holds a degree from a university recognised in Nigeria;
 - (b) has knowledge and experience in matters related to food security; and
 - (c) has a working knowledge in any of the following fields—
 - (i) land and agrarian reforms;
 - (ii) public health;
 - (iii) sociology; or
 - (iv) statistics; and
 - (d) meets the requirements of the Fifth Schedule, Part 1 of the Constitution.
- (3) The persons appointed under subsection (1)(a), (d) and (e) shall be competitively recruited by the state public service and appointed by the Governor with the approval of the State House of Assembly,
- (4) In recruiting and appointing persons under subsection (1)(a), (d) and (e), the State Public Service and the governor shall have regard to the diversity within the state.
- (5) The committee may co-opt such persons not exceeding two in number to sit in the committee, whose knowledge and skills are found necessary for the performance of the functions of the committee.
- (6) A State Government may establish a fund which shall be administered by the state food security committee into which shall be paid at least ten percent or such other amount as may be agreed upon by the state government of the annual funds available to the state constituting contributions from both the federal and state governments with respect to the implementation of the food distribution programme and the food subsidy programme for the purposes of providing emergency food assistance.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Abdullahi Adamu — Nasarawa West*) —
Agreed to.

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

Clause 31: Functions of the State Food Security Committees.

- (1) The functions of a state food security committee shall be to—
 - (a) implement the food security policy and programmes in the state;
 - (b) advise the Agency on technical issues related to the implementation of different programmes on food security within the state;

- (c) collaborate with the Agency and agencies in the state in ensuring a co-ordinated approach in facilitating the access of food in the State;

Amendment Proposed:

Leave out the word “of” in line 2, and *insert* the word “to” instead thereof (*Senator Matthew A. Urhoghide — Edo South*).

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

- (d) serve as an early warning mechanism on impending food insecurity situations within the State and advise on mitigation measures to address the situation;
- (e) initiate, undertake and participate in the collection, preparation, production and dissemination of data and information on food security and nutrition in the state;
- (f) ensure the proper identification of food in secure areas, appropriate programmes and eligible beneficiaries in relation to food security programmes and the correct application eligibility criteria;
- (g) ensure that food and nutrition security issues are incorporated in the programmes of the State and monitor the performance of the State in the implementation of the policies, programmes and plans on food and nutrition security issues;
- (h) determine the essential foodstuffs and commodities within the State for the purpose of implementing food distribution programmes and food subsidy programmes;
- (i) spearhead the formation and operationalization of food and nutrition committees at community levels and in schools and health centres;
- (j) coordinate activities of State organs, institutions, the private sector, non-governmental organizations and community based organizations involved in food and nutrition programmes in the State;
- (k) establish and implement food distribution programmes and food subsidy programmes taking into account the peculiar circumstances of the respective State;
- (l) establish a competent food distribution infrastructure in the State to facilitate distribution of food and the implementation of food programmes in the State;
- (m) establish a mechanism for the disbursement of emergency food assistance in collaboration with the Agency; and

- (n) mobilise and sensitize the community on food and nutrition programmes, and in collaboration with the relevant stakeholders and institutions in the area, conduct capacity building programmes, education and information campaigns on food and nutrition security issues.
- (2) The State Food Security Committee shall be under the control and direction of the State Governor in the implementation of its functions in accordance with the policies of the Agency and shall collaborate with the Agency in the carrying out of its functions under subsection (1) (*Senator Abdullahi Adamu — Nasarawa West*).

Question that Clause 31 as amended do stand part of the Bill, put and agreed to.

Clause 32: Conduct of affairs of the State Food Security Committees.

The provisions relating to the conduct of the affairs of the Board prescribed in the First Schedule shall apply with necessary modifications to the conduct of the affairs of the state food security committee.

PART VI—FOOD INSECURITY AND INFORMATION MAPPING SYSTEMS

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Establishment of information and mapping systems.

- (1) The Agency shall in collaboration with the Ministries responsible for finance, disaster management, planning and national security, establish food insecurity and information mapping systems to provide the information needed to develop and strengthen the capacity to respond to food emergencies.
- (2) In performing its functions under subsection (1), the Agency shall—
- (a) support the development of disaster management plans in relation to food security by implementing organs;
 - (b) establish a rights based early warning system and emergency preparedness strategies on food security and safety;
 - (c) systematically undertake disaggregated analysis on food insecurity, vulnerability and nutritional status of different groups in the society, with particular attention to assessing any form of discrimination that may manifest itself in greater food insecurity and vulnerability to food insecurity, or in a higher prevalence of malnutrition among specific population groups;
 - (d) develop and identify corrective measures for the purpose of addressing and preventing causes of food insecurity and malnutrition;
 - (e) establish systems to ensure the feedback of information in such formats as it may consider appropriate on food security and nutrition to priority federal, state and local government levels through the appropriate media;

- (f) establish risk management and vulnerability mapping systems;
 - (g) establish and coordinate sector specific roles and mandates related to vulnerability and emergency response; and
 - (h) undertake a food security baseline and impact assessment at all levels of governance to guide vulnerability and emergency response.
- (3) In furtherance to subsection (2), the Minister responsible for matters related to special programmes shall, in consultation with the relevant State organs, provide to the Agency, information on vulnerability response mechanisms, including budget estimates to support vulnerable persons.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Abdullahi Adamu — Nasarawa West*) —
Agreed to.

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34: Food impact assessments.

- (1) In formulating and prior to the implementation of a proposal, policy, programme or project that may affect the realization of the right to food, the relevant State organ or concerned person shall carry out an impact assessment to identify, predict, evaluate and mitigate economic, social and other effects of such policy, programme or project.
- (2) Where an existing written law requires the undertaking of an impact assessment prior to the implementation of a project or programme, the State organ or concerned person shall incorporate in that impact assessment, a food impact assessment in the manner prescribed by the Agency under subsection (4).
- (3) The Agency shall cause to be undertaken an annual right to food impact assessment to identify the impact of policies, programmes and projects on the realisation of the right to food.
- (4) The Agency shall determine the manner in which impact assessments under subsection (1) shall be undertaken including —
 - (a) the screening of any proposal, policy, programme or project;
 - (b) the undertaking of scoping exercises and examination of alternative measures for the achievement of the same objectives;
 - (c) the undertaking of the impact analysis;
 - (d) the identification and implementation of mitigation measures; and
 - (e) the undertaking of public consultation.

PART VII—POWERS OF THE PRESIDENT INSTITUTIONS OF FOOD EMERGENCY.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 34 do stand part of the Bill, put and agreed to.

Clause 35: Food Emergency.

- (1) The President may declare a food emergency if, in his opinion, there is a major shortfall in the domestic production or availability of a designated agricultural commodity.
- (2) When the President declares a national food emergency under subsection (1), the powers of the Agency under this Bill shall vest in the Minister.
- (3) The Minister shall exercise the powers of the Agency during the existence of the national food emergency and for not more than thirty days after the end of the emergency is declared by the President.
- (4) Where the Minister exercises the powers of the Agency referred to under subsection (2), the Agency shall act as an advisory committee.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 35 do stand part of the Bill, put and agreed to.

PART VIII—FINANCIAL PROVISIONS

Clause 36: Funds of the Agency.

- (1) There may be established a fund which shall consist of monies specified under subsection (2).
- (2) Any expenses that may be occasioned in the implementation of this Bill shall be provided from —
 - (a) such gifts, grants or donations as may be given;
 - (b) such monies as may, in the future, be provided by the National Assembly for defraying the expenses incurred in the implementation of this Bill; and
 - (c) such other monies that may lawfully accrue in the discharge of the functions.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 36 do stand part of the Bill, put and agreed to.

Clause 37: Investment of funds.

- (1) The Agency may invest its funds in any securities which for the time being trustees may by law invest in trust funds, or in any other securities which the Minister may, from time to time, approve for that purpose.

- (2) The Agency may place on deposit with such bank as it may determine, any moneys not immediately required for the purposes of the Agency.

Committee's Recommendation:

That the provision in Clause 37 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 37 do stand part of the Bill, put and agreed to.

Clause 38: Financial Year.

The financial year of the Agency shall be the period of twelve months ending on the thirtieth June in each year.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 38 do stand part of the Bill, put and agreed to.

Clause 39: Annual Estimates.

- (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Agency for that year.
- (2) The annual estimates shall make provision for all estimated expenditure of the Agency for the financial year concerned.
- (3) The annual estimates shall be approved by the Board before the commencement of the financial year to which they relate and shall be submitted to the Minister for approval.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 39 do stand part of the Bill, put and agreed to.

Clause 40: Annual Report.

The Board shall, within a period of three months after the end of each financial year, submit —

- (a) to the Auditor-General, the accounts of the Agency in respect of that year together with —
 - (i) a statement of the income and expenditure of the Agency during that year; and
 - (ii) a statement of the assets and liabilities of the Agency on the last day of that financial year; and
- (b) to the Minister, an annual report in respect of that year containing—
 - (i) the accounts of the Agency and statements referred to under paragraph (a);
 - (ii) the Agency's performance indicators and any other related information;

- (iii) a report on the operations of the Agency during that year; and
- (iv) such other information as the Minister may request.

Committee's Recommendation:

That the provision in Clause 40 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 40 do stand part of the Bill, put and agreed to.

Clause 41: Accounts and Audit.

- (1) The Board shall cause to be kept all proper books and records of accounts of the income, expenditure and assets of the Agency.
- (2) The accounts of the Agency shall be audited and reported upon in accordance with the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

PART IX—MISCELLANEOUS PROVISIONS

Committee's Recommendation:

That the provision in Clause 41 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 41 do stand part of the Bill, put and agreed to.

Clause 42: Prohibition against the infringement of the right to food.

A person shall not act in a manner which—

- (a) is incompatible with or affects the enjoyment of the right to food under this Bill;
- (b) affects the right of another person to nutritional food;
- (c) would affect the production of food that is safe for consumption or the right of another person to nutritious safe food; or
- (d) would affect the production of food that is safe for consumption or the right of another person to nutritious safe food; or
- (e) impedes the implementation of activities carried out for the implementation of food security under this Bill.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 42 do stand part of the Bill, put and agreed to.

Clause 43: Offences related to diverting food meant for the food distribution or subsidy programme.

A person who diverts funds or food meant for the food distribution programme or the food subsidy programme to a person other than its intended beneficiary at any point along the food distribution chain commits an offence and shall, on conviction, be liable to a fine not exceeding five million naira or to imprisonment for a term not exceeding eight years or to both (*Senator Abdullahi Adamu — Nasarawa West*).

Amendments Proposed:

- (i) Immediately after the word “conviction” in line 3, *insert* the words “be made to return the foods diverted and” ; and
- (ii) *Leave out* the word “eight” in line 4, *insert* the word “ten” instead thereof (*Senator Mao A. Ohuabunwa — Abia North*).

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

Question that Clause 43 as amended do stand part of the Bill, put and agreed to.

Clause 44: Offences related to the procurement of food items or services.

A person who procures any food, commodities or services in relation to a food distribution programme or food subsidy programme in a manner contrary to any written law on procurement commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand naira or to imprisonment for a term of three years or to both (*Senator Abdullahi Adamu — Nasarawa West*).

Amendments Proposed:

- (i) *Leave out* the words “Two hundred thousand” in line 4, *insert* the words “five million” instead thereof (*Senator Abdullahi A. Sabi — Niger North*).

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

- (ii) *Leave out* the word “three” in line 5, *insert* the word “ten” instead thereof (*Senator Mao A. Ohuabunwa — Abia North*).

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

- (iii) Immediately after the word “conviction” in line 3, *insert* the words “be made to return the foods diverted and” instead thereof (*Senator Abdullahi A. Sabi — Niger North*).

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

Question that Clause 44 as amended do stand part of the Bill, put and agreed to.

Clause 45: Offences related to the administering of the eligibility criteria index.

A person who administers the eligibility criteria index in a manner other than that prescribed under this Act commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand naira or to a term of imprisonment of three years or to both (*Senator Abdullahi Adamu — Nasarawa West*).

Amendments Proposed:

- (i) *Leave out* the words “Two hundred thousand” in line 3, *insert* the words “five million” instead thereof (*Senator Abdullahi A. Sabi — Niger North*).

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

- (ii) *Leave out* the word “three” in line 4, *insert* the word “ten” instead thereof (*Senator Abdullahi A. Sabi — Niger North*).

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

Question that Clause 45 as amended do stand part of the Bill, put and agreed to.

Clause 46: Offences relating to the issuance and use of the food eligibility card.

A person who fraudulently acquires, issues, or otherwise uses the food eligibility card commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand naira or to a term of imprisonment of one year or to both (*Senator Abdullahi Adamu — Nasarawa West*).

Amendments Proposed:

- (i) *Leave out* the words “Two hundred thousand” in line 3, *insert* the words “five million” instead thereof (*Senator Kabiru G. Marafa — Zamfara Central*).

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

- (ii) *Leave out* the word “one” in line 3, *insert* the word “five” instead thereof (*Senator Kabiru G. Marafa — Zamfara Central*).

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

Question that Clause 46 as amended do stand part of the Bill, put and agreed to.

Clause 47: General penalty.

A person who is convicted of an offence under this Act for which no penalty is provided shall be liable to a fine not exceeding one hundred thousand Naira, or to imprisonment for a term not exceeding five years, or to both (*Senator Abdullahi Adamu — Nasarawa West*).

Amendment Proposed:

Leave out the words “One hundred thousand” in line 2, *insert* the words “five million” instead thereof (*Senator Kabiru G. Marafa — Zamfara Central*).

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

Question that Clause 47 as amended do stand part of the Bill, put and agreed to.

Clause 48: Public participation in the advancement of food security.

The Agency shall, in promoting public awareness and participation in the advancement of food security—

- (a) develop the human resources in the field of food through education and training activities ,especially the small scale businesses;
- (b) stimulate and increase the participation of the community in the human resources development activities, improving the capability of the small-scale businesses, extension services in the field of food and diversification of food;
- (c) stimulate and direct the participation of professional associations and organizations in the field of food production;
- (d) stimulate and support the activities of technological research and or development in the field of food;
- (e) disseminate the knowledge and extension services in the field of agriculture and food production;

- (f) promote international cooperation in the field of food in accordance with national interest; and
- (g) stimulate and increase the activities of diversification of food consumed by the community, and the stabilization of the traditional food quality.

PART X—PROVISIONS ON DELEGATED LEGISLATION

Committee's Recommendation:

That the provision in Clause 48 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 48 do stand part of the Bill, put and agreed to.

Clause 49: Regulations.

- (1) The Minister, in consultation with the Agency, may make regulations generally for the effective implementation of the provisions of this Act.
- (2) Without prejudice to the generality of subsection(1), the Minister may make regulations—
 - (a) for the management of food aid and food emergencies;
 - (b) to provide a framework for the collaboration and the monitoring, by the Agency, of the activities of the State Food Security Committee and a mechanism for ensuring transparency and accountability under this Act;
 - (c) for the procedures and mechanisms for consulting the public on food and nutrition security issues, including public hearings and meetings at all levels of government;
 - (d) the conduct of sensitization programmes and the publication and dissemination of information under this Bill;
 - (e) for the conduct of food emergency programmes under this Bill;
 - (f) for charges and fees to be paid to the Agency in the performance of its duties under this Bill; and
 - (g) to provide for the required minimum amount of food including the quantity of food or its monetary value, needed to prevent and address hunger and
- (3) For the purposes of Section 4 of the Constitution—
 - (a) the power of the Agency to make regulations shall be limited to bringing into effect the provisions of this Bill and the fulfillment of the objectives specified under subsection (1); and
 - (b) the principles and standards set out under the Interpretation Act in relation to subsidiary legislation shall apply to regulations made under this Bill.

Committee's Recommendation:

That the provision in Clause 49 be retained (*Senator Abdullahi Adamu — Nasarawa West*) —
Agreed to.

Question that Clause 49 do stand part of the Bill, put and agreed to.

Clause 50: Interpretation.

In this Bill, unless the context otherwise requires—

"access" in relation to food means the physical, economic and social access by a person or households to food through production, purchase or through programmes implemented by the State to ensure that the right of every person who is otherwise unable to procure food, is actualized;

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

"adequate food" means the availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances and acceptable within a given culture;

Question: That the word "adequate food" be as defined in the Interpretation to this Act, put and agreed to.

"at risk persons" are food-poor persons who do not have a competent social support system and by reason of infancy, pregnancy, advanced years, infirmity or any other reason determined by the Agency from time to time cannot produce or purchase essential food items and commodities in adequate quantity and quality;

Question: That the word "at risk person" be as defined in the Interpretation to this Act, put and agreed to.

"Agency" means the Food Security Agency established under section 11;

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

"Minister" means the Minister responsible for matters related to agriculture and rural development;

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

"competent social support system" refers to familial or other relationships implying legal duties;

Question: That the word "competent social support system" be as defined in the Interpretation to this Act, put and agreed to.

"designated agricultural commodity" means any agricultural food commodity designated as essential for the food security of the country by the Minister in consultation with the Agency;

Question: That the word "designated agricultural commodity" be as defined in the Interpretation to this Act, put and agreed to.

"essential foodstuffs and commodities" include maize, beans, wheat, rice, milk, sugar, cooking fat or oil, paraffin, guinea corn, millet, sorghum, and any other commodity as designated by the Minister in consultation with the Agency;

Question: That the word "essential foodstuffs and commodities" be as defined in the Interpretation to this Act, put and agreed to.

"eligibility criteria index" means the index formulated by the Agency in accordance with the Second Schedule and applied by the State Food Security Committees to determine the levels of access to food by potential food-poor persons and their eligibility for the food distribution programme or the food subsidy programme;

Question: That the word "eligibility criteria index" be as defined in the Interpretation to this Act, put and agreed to.

"emergency food assistance" refers to food provided to both food-poor persons and non-food-poor persons during times of severe food shortage occasioned by humanitarian disasters;

Question: That the word "emergency food assistance" be as defined in the Interpretation to this Act, put and agreed to.

"family support programme" means the initiatives put in place by the Federal and State Governments to raise the capacity of food-poor persons, households and communities to attain the capacity to access food by themselves through production or purchase;

Question: That the word "family support programme" be as defined in the Interpretation to this Act, put and agreed to.

"food distribution infrastructure" refers to the entire complement of individuals, agencies, institutions, organizations, centres and such other organs as the State food security committee will designate from time to time to implement the food distribution programme and the food subsidy programme in the State;

Question: That the word "food distribution infrastructure" be as defined in the Interpretation to this Act, put and agreed to.

"food distribution programme" refers to the programme established by the Agency and the State Food Security Committees for the benefit of at-risk persons;

Question: That the word "food distribution programme" be as defined in the Interpretation to this Act, put and agreed to.

"food of acceptable quality" means food whose value of quality is determined as fit for consumption based on the criteria of food safety, nutrition content and standards set by the relevant certification agencies such as the Standards Organization of Nigeria or based on international standards adopted by, or applicable to Nigeria by National Agency for Food and Drugs Administration and Control;

Question: That the word "food of acceptable quality" be as defined in the Interpretation to this Act, put and agreed to.

"food production" means an activity or process of producing, preparing, processing, making, preserving, packing or repackaging and or changing the form of food;

Question: That the word "food production" be as defined in the Interpretation to this Act, put and agreed to.

"food security" means a situation where all people, at all times have regular and permanent physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life;

Question: That the word "food security" be as defined in the Interpretation to this Act, put and agreed to.

"food subsidy programme" refers to the programme established by the Agency and the State Food Security Committees for the benefit of persons with limited capability as determined by the Agency and State Food Security Committees;

Question: That the word "food subsidy programme" be as defined in the Interpretation to this Act, put and agreed to.

"food" means everything that originates from biological sources and water, whether processed or not, which is designated as eatable or beverage for human consumption, including food additive materials, food raw materials and other materials used in the process of preparation, processing and or the making of an eatable or beverage;

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

"food eligibility card" is the card issued to at-risk persons and persons with limited capability by a State food security committee to authenticate their eligibility for the food distribution programme and the food subsidy programme;

Question: That the word "food eligibility card" be as defined in the Interpretation to this Act, put and agreed to.

"food-poor persons" means persons, including vulnerable persons, who cannot through their own or any other means produce or purchase essential food items and commodities in adequate quantity and quality for short or extended periods of time;

Question: That the word "food-poor persons" be as defined in the Interpretation to this Act, put and agreed to.

"freedom from hunger" means a situation where all persons have access to a level of food, capable of meeting the recommended minimum dietary requirements as the Agency may prescribe;

Question: That the word "freedom from hunger" be as defined in the Interpretation to this Act, put and agreed to.

"malnutrition" means poor nutritional status caused by nutritional deficiency or excess;

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

"minimum amount of food" means the amount of food required to meet the minimum nutritional needs of an individual, according to age, sex, occupation and health status, provided in-kind, in equivalent monetary value, vouchers or other prescribed form;

Question: That the word "minimum amount of food" be as defined in the Interpretation to this Act, put and agreed to.

"persons with limited capability" means a food-poor person who in spite of having a competent social support system are unable to produce or purchase essential food items and commodities in adequate quantities and quality for short or extended periods of time;

Question: That the word "persons with limited capability" be as defined in the Interpretation to this Act, put and agreed to.

"right to food" means the right of every person to regular, permanent and free access, at all times, either directly or by means of financial purchases, to quantitative and qualitative adequate, sufficient and safe food, corresponding to his or her cultural traditions and which ensures a physical and mental, individual or collective fulfilling and dignified life, free of fear of hunger or under nutrition;

Question: That the word "right to food" be as defined in the Interpretation to this Act, put and agreed to.

"vulnerable persons" include infants, children, school going children, pregnant and nursing mothers, the elderly, internally displaced persons, people with disabilities, sick persons with chronic diseases such as HIV/AIDS, victims of conflict, rural people in precarious livelihood situations, marginalised populations in urban areas, groups at risk of social marginalisation and discrimination and any other group that may be identified from time to time.

Question: That the word "vulnerable persons" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:

That the provision in Clause 50 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 50 do stand part of the Bill, put and agreed to.

Clause 51: Short Title

This Bill may be cited as the Food Security Bill 2016.

Committee's Recommendation:

That the provision in Clause 51 be retained (*Senator Abdullahi Adamu — Nasarawa West*) — Agreed to.

Question that Clause 51 do stand part of the Bill, put and agreed to.

SCHEDULES

FIRST SCHEDULE

(SECTION 22,35)

PROVISIONS RELATING TO MEETINGS OF THE BOARD OF THE AGENCY

1. The Board of the Agency shall meet at least once in every three months to conduct the business of the Board of the Agency.
2. The chairperson may on his or her own motion, or upon request by a member, call a special meeting of the Board of the Agency at any time, where he or she considers it expedient for the transaction of the business of the Board of the Agency.
3. Other than a special meeting, or unless three quarters of members agree, at least fourteen days' written notice of every meeting of the Board of the Agency shall be given to every member of the Board of the Agency by the secretary.
4. The quorum at a meeting of the Board of the Agency shall be a majority of the members or such greater number as may be determined by the Board of the Agency in respect of an important matter.
5. The chairperson shall preside at the meetings of the Board of the Agency and in the absence of the chairperson, the vice-chairperson or a member of the Board of the Agency elected by the members present from among their number shall preside.
6. The matters of the Board of the Agency shall be decided by a majority of the members present and voting and in the event of equality of votes, the person presiding shall have a casting vote.
7. The proceedings of the Board of the Agency shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member.
8. At the first meeting of the Board of the Agency, the members shall elect a vice-chairperson, not being an ex-officio member, from among its members.
9. Subject to the provisions of this Schedule, the Board of the Agency may determine its own procedure and the procedure for any committee of the Board of the Agency and for attendance of any other persons at the meetings and may make standing orders in respect thereof.

Question that paragraphs 1,2,3,4,5,6,7,8 and 9 under the Head "Provisions Relating to Meetings of the Board of the Agency." stand part of the First Schedule to the Bill, put and agreed to.

SECOND SCHEDULE

(SECTION 2)

PROVISIONS RELATING TO THE ELIGIBILITY CRITERIA INDEX

In developing the eligibility criteria index, the Agency shall be guided by the following considerations—

- (a) non-discrimination of food-poor persons;
- (b) preservation of the human dignity of persons during the process of administering the eligibility criteria index;
- (c) the need to determine with accuracy the status of persons as food-poor or otherwise in order to ensure relevant and timely assistance to all deserving persons;

- (d) provision for at-risk persons; persons with limited capability and emergency cases and the varying degrees of assistance required by each category of persons;
- (e) the inclusion of relevant and responsive parameters in the index to enable accurate determination of the food-poor status of respective persons;
- (f) the simplicity of the index to allow for the officer administering the index to use it effectively and for the person to whom it is being administered to understand the process;
- (g) the flexibility and adaptability of the index to allow for its use in the diverse circumstances found in the different States of the country;
- (h) the ease with which the index will be administered to diverse persons across the States;
- (i) geographical and cultural sensitivity and appropriateness of any programme, plan or intervention;
- (j) the inclusion of a periodic re-evaluation mechanism to review the need for holders of food eligibility cards to continue to hold them;
- (k) the inclusion of all relevant factors that pertain to the status of at-risk persons and persons with limited capability insofar as determination of their food poor status is concerned;
- (l) the existence of other development initiatives and funds in the State to assist the inhabitants to improve their general well being and the extent to which persons eligible for the food-poor status avail themselves of such benefits;
- (m) relevant provisions regarding the operationalization of such other food assistance mechanisms contained in international and regional instruments; and
- (n) adherence to the principles of participation, accountability, non-discrimination, transparency and empowerment.

Question that Provisions Relating to the Eligibility Criteria Index" 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 Food Security Bill, 2016 and approved as follows:

Clauses 1- 30	—	As Recommended
Clause 31	—	As Amended
Clauses 32- 42	—	As Recommended
Clauses 43-47	—	As Amended
Clauses 48-51	—	As Recommended
Schedule	—	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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

7. Ad hoc Committee on North East Development Commission Bill:

Report on the North East Development Commission Bill, 2016 (SB. 31):

Motion made: That the Senate do consider the Report of the *Ad hoc* Committee on North East Development Commission Bill, 2016 (*Senator Samuel O. Egwu — Ebonyi North*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution (i):

Question: That the Headquarters should be located in Maiduguri — *Agreed to.*

Proposed Resolution (ii):

Question: That 3% of Federal Value Added Tax (VAT) for a period of Ten (10) years should be allocated to North East Development Commission — *Agreed to.*

Resolved:

(i) The Headquarters should be located in Maiduguri; and

(ii) That 3% of Federal Value Added Tax (VAT) for a period of Ten (10) years should be allocated to North East Development Commission (*S/Res/030/02/16*).

8. Committee on Tertiary Education and TETFUND:

Report on the Joint Admissions and Matriculations Board (JAMB) Act (Amendment) Bill, 2016 (SB. 245):

Motion made: That the Senate do consider the Report of the Committee on Tertiary Education and TETFUND on the JAMB Act (Amendment) Bill, 2016 (*Senator Jibrin I. Barau — Kano North*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE JOINT ADMISSIONS AND MATRICULATION BOARD ACT; AND OTHER MATTERS CONNECTED THEREWITH

Clause 1: Establishment of the Joint Admissions and Matriculation Board.
The Joint Admissions and Matriculations Board Act (in this Bill referred to as the Principal Act), is hereby amended as set out in this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

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

Clause 2: Functions of the Board.

Amendment of Section 5:

A new subsection (b) is inserted after subsection (a) of section 5 as follows:

- "5 (b) the Matriculations Examinations conducted by the Board shall be the sole examinations required for admission and entry into all Universities, Polytechnics (by whatever name called) and Colleges of Education (by whatever name called), to the exclusion of any other institution or body"
- (c) the appointment of examiners, moderators, invigilators, members of subject panels and committees and other persons with respect to matriculation examinations and any other matters incidental thereto or connected therewith;
- (d) the placement of suitably qualified candidates in the tertiary institutions having taken into account-
- (i) the vacancies available in each tertiary institution;
 - (ii) the guidelines approved for each tertiary institution by its proprietor or other competent authority;
 - (iii) the preferences expressed or otherwise indicated by candidates for certain tertiary institutions and courses; and
 - (iv) such other matters as the Board may be directed by the Minister to consider, or the Board itself may consider appropriate in the circumstances;
- (e) the collection and dissemination of information on all matters relating to admissions into tertiary institutions or to any other matter relevant to the discharge of the functions of the Board under this Act, and
- (f) the carrying out of such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under or pursuant to this Act.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

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

Clause 3: Insertion of Section 6.

A new Section 6 is inserted after Section 5 of the Principal Act as follows:

Validity of Section 6:

- "6. (i) Any examination conducted by the Board pursuant to the powers conferred by this Act shall be valid for a period of three academic years from the date of the examination;
- (ii) A candidate meeting the requirements for admission and being duly qualified shall remain so qualified for the period prescribed in subsection (1) of this section;
- (iii) A candidate awaiting admission shall be given preference in the succeeding year over fresh applicants who shall only become eligible when the backlog has been cleared.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

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

Clause 4: Renumbering of existing Sections.

Section 5(b) (c) (d) (e), 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the principal Act amended by being re-numbered as Sections 5 (c) (d) (e) (f), 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

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

Clause 5: Citation.

This Act may be cited as the Joint Admissions and Matriculation Board Act (Amendment) Bill 2016.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Barau I. Jibrin — Kano North*) — *Agreed to.*

Question that Clause 5 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 the Whole considered the Report of the Committee on Tertiary Education and TETFUND on the JAMB Act (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 5 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. Committee on Interior:

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

Motion made: That the Senate do consider the Report of the Committee on Interior on the Nigerian Peace Corps (Establishment, etc.) 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 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN PEACE CORPS (NPC) TO EMPOWER, DEVELOP AND PROVIDE ALTERNATIVE EMPLOYMENT FOR THE YOUTHS, TO FACILITATE PEACE, VOLUNTEERISM, COMMUNITY SERVICES, NATION-BUILDING AND FOR OTHER RELATED MATTERS, 2016.

Debate:

Further consideration of Bill deferred for further Legislative Action.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Interior on the Nigerian Peace Corps (Establishment, etc.) Bill, 2016 and deferred consideration for further legislative action.

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

Further consideration of Bill deferred for further Legislative Action.

10. Committee on Sports and Youth Development.

Report on the National Lottery (Amendment) Bill, 2016. (SB. 227):

Motion made: That the Senate do consider the Report of the Committee on Sports and Youth Development on a Bill for an Act to Amend the National Lottery Act, 2005 to Make Consequential Provisions for Effective Operation of Lottery in Nigeria; and for Other Related Matters, 2016 (*Senator Obinna J. Ogba — Ebonyi 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 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NATIONAL LOTTERY ACT, 2005 TO MAKE CONSEQUENTIAL PROVISIONS FOR EFFECTIVE OPERATION OF LOTTERY IN NIGERIA; AND FOR OTHER RELATED MATTERS, 2016.

Clause 1: Amendment of the Lottery Act 2005.

The National lottery Act 2005 (in this Bill 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 Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 2: The Principal Act is amended by substituting the words "National Lottery" and "any Lottery" with the words "Lottery" wherever they appear instead thereof.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 3: Amendment of Section 10.

Service in the Commission shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act, 2014, No. 64

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 4: Amendment of Section 13.

The Commission shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within 3 months after the end of each year by independent auditors appointed from the list of independent auditors maintained by the Auditor-General of the Federation and in accordance with guidelines that may be issued from time -to-time by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 5: Amendment of Section 17.

As from the commencement of this Act, the operation of the business of any type of lottery by whatever, name called, shall be subject to a national lottery license granted by the President upon recommendation by the Commission and compliance with the provisions of this Act or any regulations made pursuant thereto. The holder of any such licence shall be entitled to carry out the lottery business specified in the national lottery licence across the federation.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 6: Amendment of Section 18.

Any person or body corporate may submit application for a license for the operation of the business of a pari-mutuel lottery to the President through the Commission in the prescribed form and upon the payment of such fees as may be prescribed, from time to time, by the Commission.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 7: Insertion of New Section 18(2).

Any person or body corporate may submit application for a license for the operation of fixed-odd lottery, to the President through the Commission in the prescribed form and upon payment of such fees as may be prescribed, from time to time, by the Commission.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 8: Amendment of Section 19.

The President may grant national lottery license to any person or body corporate to operate the lottery being applied for, by whatever name called, if the President is satisfied that the applicant -

- (a) is a fit and proper person to manage the business or any part of the business of a national lottery;
- (b) has the relevant knowledge, expertise and experience to manage the business or any part of the business of operating the lottery being applied for
- (c) is capable of mobilizing sufficient financial resources to ensure financial viability of the business of operating a national lottery; and

Amendment Proposed:

Immediately after the word "lottery" in line 2, insert the words "and meet the financial conditions as may be set by the Commission" (*Senator Yahaya A. Abdullahi — Kebbi North*).

Question that the amendment be made, put agreed to.

- (d) has made an undertaking to conduct the business of a national lottery with all due property, corruption free, accountability, transparency and protection of the interests of participating stake holders and the public (*Senator Obinna J. Ogba — Ebonyi Central*).

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

Clause 9: Amendment of Section 20.

- (1) Subject to subsection (2) of this section, a license granted under section 19 of the Act shall be valid for a period of 15 years, the duration of the license shall be stated on its face and such license shall be perpetually renewable upon application by the licensee.

Amendment Proposed:

Leave out the word "perpetually" in line 3, (*Senator Suleiman O. Hunkuyi — Kaduna North*).

Question that the amendment be made, put agreed to.

- (2) During the duration of the license, the licensee shall be entitled to use the words "national lottery" as an identification and endorsement for any or all lotteries operated under the license (*Senator Obinna J. Ogba — Ebonyi Central*).

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

Clause 10: Amendment of Section 21.

- (1) The President may -
- (a) if satisfied with any reason furnished by the licensee pursuant to subsection (2) of this section, allow the license to continue; or
 - (b) if not satisfied with the reasons furnished by the licensee, revoke the license on the recommendation of the Commission;
 - (c) notwithstanding the provision of sub-section (b) above, the Commission may allow the license to remain in force, subject to any such further conditions as the Commission may deem necessary and such conditions shall form part of the license.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 11: Substitution of section 24(1) with a new Section 24(1).

- (1) A holder of a national lottery license other than a fixed odds game license shall establish an operational fund to be known as the "prize fund" into which shall be paid a minimum return of 40 per cent of the proceeds of a national lottery.

- (2) A licensee shall pay to the Trust Fund established under section 35 of this Bill within a period of not more than 90 days after the determination of the result of each lottery, an amount of 20 per cent payable from the net proceeds of the lottery, 25% in the subsequent 5 years and thereafter 27.5%.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 12: Amendment of Section 24(3).

- (1) A holder of a fixed odds game license shall establish an operational fund to be known as the "Fixed-odd prize fund" into which shall be paid a minimum return of 20 percent of the payable from the net proceeds of the lottery.
- (2) The Fixed-odd Prize Fund established by the licensee pursuant to subsection (4) of this section shall be applied exclusively for the payment of prizes in respect of such fixed-odd lotteries from which the proceeds were realized.
- (3) A licensee that operates fixed-odd lottery shall pay to the trust fund established under section 35 of this Act within a period of not more than 90 days after the determination of the result of each lottery, an amount of 40% of the net proceeds of the lottery.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Amendment of Section 24.

Insert immediately after Section 24 of the principal Act, the Amendment of Section 24 following new 24A.

- "24A (2) The Fixed-odd Prize Fund established by the licensee pursuant to subsection (4) of this section shall be applied exclusively for the payment of prizes in respect of such fixed-odd lotteries from which the proceeds were realized.
- (3) A Licensee that operates fixed-odd lottery shall pay to the Trust Fund established under section 35 of this Act within a period of not more than 90 days after the determination of the result of each lottery, an amount of 40% of the net proceeds of the lottery.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 14: Amendment of Section 34.

- (3) Save as provided under this Bill and notwithstanding the provision of another enactment to the contrary, the operation of any lottery on a national basis is hereby declared unlawful.
- (4) Pursuant to the above provisions, no person shall establish or conduct a lottery at national level or employ the use of a national platform to -

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 15: Amendment of Section 45.

Section 45 of the Act is amended by substituting for the marginal note, a new marginal note "Act, 20 14 No. 64"
Service in the Trust Fund shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act 2014, No. 64.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 16: Amendment of Section 35(1).

There is established a fund to be known as the National Lottery Trust Fund (in this Act referred to as "the trust Fund") into which shall be paid a percentage of the net proceeds of a National Lottery as prescribed under section 24 of this Act.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

**Clause 17: Insertion of New PART VI
Imposition of lottery Companies Income Tax.**

- (3) There is hereby imposed and charged a tax to be known as the Lottery Companies Incomes Tax (in this Act referred to as "Lottery Tax") which shall be administered and managed by the Federal Board Inland Revenue (in this Act referred to as "the Board"):
 - (a) the Lottery Tax shall be computed as income tax at the rate of 10 per cent on the net proceeds of the Licensee at each assessment year;
 - (b) a Licensee shall compute the tax payable by the Licensee for the year of assessment and forward evidence of direct payment of the whole or part due into a bank designated by the Board;

- (c) where the Board is not satisfied with an assessment made by a Licensee, the Board may, according to the best of its judgment, determine the amount of the net proceeds of such company and make an assessment accordingly, but such assessment shall not affect any liability otherwise incurred by the Licensee by reason of its assessment.

Tax Deductibility of Payment into Prize and Trust Funds

- (d) the 40 per cent paid by a Licensee into the Prize Fund in pursuance of this Act and all contributions made by a Licensee into the Trust Fund referred to in section 24 of this Act, shall be deductible expenses for the purposes of the Lottery Tax of the paying Licensee.
- (e) the Prize Fund shall be tax neutral and accordingly, all moneys accruing to, payments made from, and transactions relating to the Prize Fund shall be exempted from all forms of taxes levies, duties, charges or imposition however described.

Tax Exemptions

- (f) provided that where a Licensee has been assessed for Lottery Tax in any year, the Licensee shall be exempted from the provisions of -
- (a) Companies Income Tax Act (Cap. C21 LFN. 2004)
- (b) Value Added Tax Act (Cap VI LFN 2004).

Prior Payments

- (g) any payments made by Licensee prior to the commencement of this Amendment Act under any existing arrangement with and accepted by the Commission is hereby declared to be legal, valid and binding on the Commission and shall be deemed to be full and final settlement of any liabilities or obligations of a Licensee under this Act.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 18: Amendment of Section 57.

Interpretation.

In this Bill-

"Deductible Expenses" means an amount calculated in monetary terms as 30% of the proceeds deductible by the Licensee from the balance of "proceeds" after payment into the prize fund.

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

"Federation" means the Federal Republic of Nigeria

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

"Fixed odds" means a type of game within the definition of lottery where odds for the winning bet is determined at the time the bet is placed.

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

"Game" means pari-mutuel and fixed odds and any other lottery that has the nature or character of a game.

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

"License" means a license to operate a national lottery granted under this Bill;

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

"National Lottery License" means a license issued pursuant to section 19 of the Bill;

Question: That the words "National Lottery License" defined in the Interpretation to this Act, put and agreed to.

"Net Proceeds" means that proportion of the proceeds that remains after payment of prizes into the prize fund and after deduction of deductible expenses;

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

"Odds" means the average chances of winning

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

"Pari-Mutuel Lottery" means a type of game within which all lots of a particular type are placed together in a pool to be shared among the winners;

Question: That the words "Pari-Mutuel Lottery" defined in the Interpretation to this Act, put and agreed to.

"Proceeds" means the gross monetary amount spent by participants on the purchase of tickets in respect of each lottery conducted under a license, provided that this does not include monies earmarked for the services of the licensee's collection agents;

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

"Prize Fund" means the fund established under section 24 of the Bill into which a certain percentage of proceeds is to be paid.

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

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 19: Citation.

This Bill may be cited as the National Lottery Act. (Amendment) Bill, 2016.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

Question that Clause 19 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 the Whole considered the Report of the Committee on Sports and Youth Development on a Bill for an Act to Amend the National Lottery Act, 2005 to Make Consequential Provisions for Effective Operation of Lottery in Nigeria; and for Other Related Matters, 2016 and approved as follows:

Clauses 1- 7	—	As Recommended
Clauses 8- 9	—	As Amended
Clauses 10 - 19	—	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 (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. **Code of Conduct and Tribunal Act CAP C15 LFN 2004 (Amendment) Bill, 2016 (HB. 230):**
Motion made: That a Bill for an Act to amend the Code of Conduct and Tribunal Act CAP C15 LFN 2004 (Amendment) Bill, 2016 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 Ethics Privileges and Public Petitions to report in two (2) weeks.

12. **Builders (Registration, etc.) Act CAP B13 LFN 2004 (Amendment) Bill, 2016 (HB.255):**
Motion made: That a Bill for an Act to amend the Builders (Registration, etc.) Act CAP B13 LFN 2004 (Amendment), Bill 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Builders (Registration, etc.) Act CAP B13 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE BUILDERS (REGISTRATION, ETC.) ACT, CAP. B13, LAWS OF THE FEDERATION OF NIGERIA, 2004 BY INCREASING THE PRESCRIBED PENALTIES; AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of Cap. B13, Laws of the Federation of Nigeria, 2004.

The Builders (Registration, etc) Cap. B13, Laws of the Federation of Nigeria, 2004 (in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 19.

Section 19 of the Principal Act is amended in subsection 5 —

(a) in paragraph (a) by substituting for the expression "₦1,000" the expression "₦1,000,000.00" and;

(b) in paragraph (b) by substituting for the expression "₦500" the expression "₦500,000.00"

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 Bill is cited as the Builders (Registration, etc) Act (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 the Whole considered a Bill for an Act to amend the Builders (Registration, etc.) Act CAP B13 LFN 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 3 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. World Meteorological Organization (Protection) Act CAP W7 LFN 2004 (Amendment) Bill, 2016 (HB. 271):

Motion made: That a Bill for an Act to amend the World Meteorological Organization (Protection) Act CAP W7 LFN 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the World Meteorological Organization (Protection) Act CAP W7 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE WORLD METEOROLOGICAL ORGANIZATION (PROTECTION) ACT, CAP. W7, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of Cap. W7, LFN, 2004.

The World Meteorological Organization (Protection) Act, Cap. W7 Laws of the Federation of Nigeria, 2004 (hereinafter referred to as the "Principal Act") is hereby amended as set out in this Bill.

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: Amendment of Section 3.

Section 3 of the Principal Act is amended by substituting figure "200" in line 2 for figure "100,000".

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 Bill may be cited as the World Meteorological Organization (Protection) Act (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 the Whole considered a Bill for an Act to amend the World Meteorological Organization (Protection) Act CAP W7 LFN 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 3 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

14. **Town Planners (Registration, etc.) Act CAP T7 LFN 2004, (Amendment) Bill, 2016 (HB.256):**
Motion made: That a Bill for an Act to amend the Town Planners (Registration, etc.) Act CAP T7 LFN 2004, (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Town Planners (Registration, etc.) Act CAP T7 LFN 2004, (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE TOWN PLANNERS (REGISTRATION, ETC.) ACT, CAP. T7, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO REGULATE THE TENURE OF COUNCIL MEMBERS UPON RE-APPOINTMENT, REVIEW PANEL, FINES AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of the Town Planners (Registration, etc) Act, Cap. T7, LFN, 2004.

The Town Planers (Registration, etc) Act Cap. T7 LFN(in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 2 of the Principal Act: Qualifications and tenure of office of members.

Subsection (5) of section 2 of the Principal Act is amended by —

- (a) inserting immediately after word "re-appointment," the phrase "for an additional term of three years, and no more" and
- (b) substituting the "colon" that appears immediately after the word "re-appointment" with 'semi colon'

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: Amendment of Section 14 of the Principal Act: Offences and venue for trial thereof.

Subsection (5) of the section 14 of the Principal Act is amended by —

- (a) substituting the phrase "not exceeding ₦1,000" immediately after the word "fine" in line, with the phrase "of ₦500,000"
- (b) substituting the phrase "not exceeding ₦20" which appears immediately after the word "fine" line 3, with the phrase "of ₦100,000"

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.

Clause 4: Short Title.

This Bill may be cited as the Town Planners (Registration, etc.) Act (Amendment) Bill, 2016.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 4 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 the Whole considered a Bill for an Act to amend the Town Planners (Registration, etc.) Act CAP T7 LFN 2004, (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 4 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. Petroleum Products Pricing Regulatory Agency (Establishment, etc.) Act CAP P43 LFN, 2004 (Amendment) Bill, 2016 (HB. 245):

Motion made: That a Bill for an Act to amend the Petroleum Products Pricing Regulatory Agency (Establishment, etc.) Act CAP P43 LFN, 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Petroleum Products Pricing Regulatory Agency (Establishment, etc.) Act CAP P43 LFN, 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE PETROLEUM PRODUCTS PRICING REGULATORY AGENCY (ESTABLISHMENT) ACT, CAP. P43, LAWS OF THE FEDERATION OF NIGERIA, 2004.

Clause 1: Amendment of CAP. P43, LFN, 2004.

The Petroleum Products Pricing Regulatory Agency (Establishment) Act, Cap.P43 Laws of the Federation of Nigeria (in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 3 (a).

Section 3 (a) of the Principal Act is amended by substituting the entire subsection with a new provision as follows:

“shall hold office for a term of four years in the first instance and may be reappointed for a further term of four years and not more”

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: Amendment of Section 22 (2).

Section 22 (2) of the Principal Act is amended by substituting the word “not exceeding” with the word “of” in line 3.

- (2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than N20,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment (*Senate Leader*).

Amendment Proposed.

Leave out the figure “20,000” in line 3, and *insert* figure and word “2 million” (*Senator Mao A, Ohuabunwa — Abia North*).

Question that amendment be made, put and agreed to.

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

Clause 4: Citation.

This Bill may be cited as the Petroleum Products Pricing Regulatory Agency (Establishment) Act (Amendment) Bill, 2016.

Committee’s Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 4 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 the Whole considered a Bill for an Act to amend the Petroleum Products Pricing Regulatory Agency (Establishment, etc.) Act CAP P43 LFN, 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 2	—	As Recommended
Clause 3	—	As Amended
Clause 4	—	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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. Veterinary Surgeons Act CAP V3 LFN 2004 (Amendment) Bill, 2016 (HB. 294):

Motion made: That a Bill for an Act to amend the Veterinary Surgeons Act CAP V3 LFN 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Veterinary Surgeons Act CAP V3 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE VETERINARY SURGEONS ACT, CAP. V3, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REDUCE THE MEMBERSHIP OF THE VETERINARY COUNCIL; AND FOR OTHER MATTERS RELATED THERETO.

Clause 1: Amendment of cap. V31 LFN, 2004.

The Veterinary Surgeons Act, Cap. V31, LFN 2004 (in this Bill referred to as "principal Act") in amended set not in this Bill.

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: Amendment of section 2 of the principal Act.

Section 2 of the principal Act in amended in subsection (1) by —

(a) Substituting for paragraph (d), a new paragraph (d) as follows —

“(d) Two Deans of faculties of Veterinary medicine of University in each geopolitical zone approved by the council or most senior registered veterinary surgeons in the faculties where the Deans are not registered veterinary surgeons on a rotational basis”

(b) Deleting paragraph (e); and

(c) Re-numbering the existing paragraph (f) as paragraph (e) accordingly

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: Amendment of section 15 of the principal Act.

(a) Subsection (2) (a) by substituting for the word "believes", the word "knows;" and

(b) Subsection (4) by substituting for the amount "₦1,000," the amount "₦100,000"

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.

Clause 4: Short Title.

This Bill may be cited as the Veterinary Surgeons Act (Amendment) Bill, 2016.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 4 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 the Whole considered a Bill for an Act to amend the Veterinary Surgeons Act CAP V3 LFN 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 4 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

17. National Archives Act 2004 (Amendment) Bill, 2016 (HB. 298):

Motion made: That a Bill for an Act to amend the National Archives Act 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the National Archives Act 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NATIONAL ARCHIVES ACT, CAP. N6, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW THE PENALTIES UPWARDS; AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of the Principal Act.

The National Archives Act, CAP. N6, Laws of the Federation of Nigeria, 2004 (in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 50 of the Principal Act.

Section 50 of the Principal Act is amended by substituting —

"₦200" with "₦20,000".

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: Amendment of Section 51 of the Principal Act.

Section 51 of the Principal Act is amended by substituting "₦400" with "₦40,000" and "₦2000" with "₦200,000"

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.

Clause 4: Citation.

This Bill cited as the National Archives Act (Amendment) Bill, 2016.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 4 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 the Whole considered a Bill for an Act to amend the National Archives Act 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 4 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

18. Currency Conversion (Freezing Orders) Act CAP C43 LFN 2004 (Amendment) Bill, 2016 (HB.274):

Motion made: That a Bill for an Act to amend the Currency Conversion (Freezing Orders) Act CAP C43 LFN 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Currency Conversion (Freezing Orders) Act CAP C43 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE CURRENCY (FREEZING ORDERS) ACT, CAP. C43, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO GIVE DISCRIMINATORY POWERS TO THE JUDGE OF A HIGH COURT TO ORDER FORFEITURE OF ASSETS OF AFFECTED PERSONS; AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of CAP C43, LFN, 2004.

The Currency Conversion (Freezing Orders) Act CAP. C43, Laws of the Federation of Nigeria, 2004 (in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment Section 9 (1).

Section 9 (1) of the Principal Act is amended by substitution for the phrase "the President may in his discretion direct that "in line 2, the phrase, "the judge of a high court may after hearing the parties direct that"

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: Amendment of section 9 (2).

Section 9 (2) of the Principal Act is deleted .

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.

Clause 4: Citation.

This Bill may be cited as the Currency Conversion (Freezing Orders) Act (Amendment) Bill, 2016.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to amend the Currency Conversion (Freezing Orders) Act CAP C43 LFN 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1-4 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

19. Value Added Tax Act CAP V1 LFN 2004 (Amendment) Bill, 2016 (HB. 293):

Motion made: That a Bill for an Act to amend the Value Added Tax Act CAP V1 LFN 2004 (Amendment) Bill, 2016 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 the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to amend the Value Added Tax Act CAP V1 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE VALUE ADDED TAX ACT, CAP. V1, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW UPWARDS THE FINES AND PENALTIES SPECIFIED FOR OFFENCES UNDER THE ACT; AND FOR OTHER RELATED MATTERS.

Clause 1: Amendment of CAP V1 LFN, 2004.

The Value Added Tax Act CAP. V1 LFN, 2004 (in this Bill 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 (*Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 8 of the Principal Act.

Section 8 of the Principal Act is amended in subsection (2) —

- (a) paragraph (a) by substituting for the amount "₦10,000", the amount "₦100,000; and

- (b) paragraph (b) by substituting for the amount "₦5,000" the amount "₦50,000"

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: Amendment of Section 25 of the Principal Act.

Section 25 of the Principal Act is amended by substituting for the word "twice" in the last line, the word "half"

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.

Clause 4: Amendment of Section 26 of the Principal Act.

Section 26 of the Principal Act is amended by substituting for the section, a new section 26 as follows —

"26. Evasion of Tax.

A person who —

- (a) produces, furnishes or sends for the purpose of this Bill or otherwise makes use for that purpose of a document which is false in any material particular; or

Amendment Proposed:

Leave out the letter "f" in line 1, and insert the word "of" instead thereof (*Senator Biodun C. Olujimi — Ekiti South*).

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

- (b) takes steps with a view to make evasion of the tax by him or any other person,

commits an offence and is liable on conviction to a fine ₦100,000 or half the amount of the tax being evaded, whichever is greater or to imprisonment for a term of not less than three years (*Senate Leader*).

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

Clause 5: Amendment of Section 27 of the Principal Act.

Section 27 of the Principal Act is amended by substituting for the amount "₦5,000" the amount "₦50,000".

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 6: Amendment of Section 28 of the Principal Act.

Section 28 of the Principal Act is amended by substituting for the amount "₦5,000" the amount "₦50,000"

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 7: Amendment of Section 30 of the Principal Act.

Section 30 of the Principal Act is amended by substituting for the amount "₦10,000" the amount "₦50,000"

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 8: Amendment of Section 31 of the Principal Act.

Section 31 of the Principal Act is amended by substituting for the amount "₦10,000" the amount "₦100,000"

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 9: Amendment of Section 32 of the Principal Act.

Section 32 of the Principal Act is amended by substituting for the amount "₦5,000" the amount "₦100,000"

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 10: Amendment of Section 33 of the Principal Act.

Section 33 of the Principal Act is amended by substituting for the amount "₦2,000" the amount "₦25,000"

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 11: Amendment of Section 34 of the Principal Act.

Section 34 of the Principal Act is amended by substituting for the amount "150%" and "5%", the amounts "200%" and "10%" respectively.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 12: Amendment of Section 35 of the Principal Act.

Section 35 of the Principal Act is amended by substituting for the amount "₦5,000" the amount "₦50,000".

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Amendment of Section 36 of the Principal Act.

Section 36 of the Principal Act is amended by —

(a) subsection (1) by substituting for the amount "₦50,000", the amount "₦200,000"; and

(b) subsection (2) by substituting for the amount "₦10,000", the amount "₦100,000"

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 14: Short Title.

This Bill may be cited as the Value Added Tax (Amendment) Bill, 2016.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 14 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 the Whole considered a Bill for an Act to amend the Value Added Tax Act CAP V1 LFN 2004 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 3 — As Recommended

Clause 4 — As Amended

Clauses 5- 14 — 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 (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

20. **Dishonored Cheques (Offences) Act CAP D11 LFN 2004 (Amendment) Bill, 2016 (HB. 288):**
Motion made: That a Bill for an Act to amend the Dishonored Cheques (Offences) Act CAP D11 LFN 2004 (Amendment) Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Banking, Insurance and Other Financial Institutions to report within four (4) weeks.

21. **Economic and Financial Crimes Commission Act CAP E1 LFN 2004 (Amendment) Bill, 2016 (HB.227):**
Motion made: That a Bill for an Act to amend the Economic and Financial Crimes Commission Act CAP E1 LFN 2004 (Amendment) Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Anti-Corruption and Financial Crimes to report within four (4) weeks.

22. **Rights and Obligations under Tenancy Agreements (Regulations) for the Recovery of Premises in the Federal Capital Territory Bill, 2016 (HB. 307):**
Motion made: That a Bill for an Act to Establish the Rights and Obligations under Tenancy Agreements (Regulations) for the Recovery of Premises in the Federal Capital Territory Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory to report within four (4) weeks.

23. **Federal Capital Territory (FCT) Hospital Management Board (Establishment, etc.) Bill, 2016 (SB. 69):**
Motion made: That a Bill for an Act to Establish the *Federal Capital Territory (FCT) Hospital Management Board (Establishment, etc.)* Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory to report within four (4) weeks.

24. **Federal Capital Territory Transport Authority (Establishment, etc.) Bill, 2016 (HB. 91):**
Motion made: That a Bill for an Act to Establish the Federal Capital Territory Transport Authority (Establishment, etc.) Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory to report within four (4) weeks.

25. Federal Capital Territory Water Board (Establishment, etc) Bill, 2016 (HB. 318):

Motion made: That a Bill for an Act to Establish the Federal Capital Territory Water Board (Establishment, etc) Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory to report within four (4) weeks.

26. Nigerian Oil and Gas Content Development Act 2010 (Amendment) Bill, 2016 (HB. 994 & 116):

Motion made: That a Bill for an Act to amend the Nigerian Oil and Gas Content Development Act 2010 (Amendment) Bill, 2016 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Gas; and Petroleum (Upstream) to report within four (4) weeks.

27. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 18th October, 2016 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:56 p.m.

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