SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 20th October, 2016

1. The Senate met at 10:25 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 19th October, 2016.

Question was put and the Votes and Proceedings were approved.

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

Appointment of Non-Career Ambassadors:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

19th October, 2016

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

Dear Distinguished Senate President,

APPOINTMENT OF NON-CAREER AMBASSADORS

In accordance with section 171 (1) (c) sub-section (4) of the 1999 Constitution as amended, I have the honour to forward the following list of 46 non-career Ambassadors Designate for confirmation by the Senate of the Federal Republic of Nigeria. Their Curriculum Vitae will be submitted in separate cover to the Clerk of the National Assembly.

This second batch completes the list of my Ambassadors - Designate. It is my hope that this will receive the usual kind prompt attention of the Distinguished Members of the Senate of the Federal Republic of Nigeria.

Please accept, Distinguished Senate President, the assurances of my highest regards.

Yours Sincerely,
(Signed)
Muhammadu Buhari

	State of Origin	Name
1.	Abia	Dr. (Mrs) Uzoma E. Emenike
2.	Adamawa	Dr. Clifford Zirra
3.	Akwa Ibom	Maj. Gen. Godwin G. Umo (Rtd)
4.	Anambra	Christopher J.N. Okeke
5.	Bauchi	Yusuf Tuggar
6.	Bauchi	Baba Madugu
7.	Bayelsa	Brig Gen. Stanley Diriyai
8.	Benue	Dr. Enyantu Ifenne
9.	Borno	Mohammed Hayatuddeen
10.	Cross River	Dr. Etubom N.E. Asuquo
11.	Delta	Engr. Francis Efeduma
12.	Ebonyi	Mr. Jonah M. Odo
13.	Edo	Uyagwe Ibe
14.	Ekiti	Ayodele L. Ayodeji
15.	Enugu	Maj. Gen. Chris Eze
16.	Gombe	Alh. Suleiman Hassan
17.	Jigawa	Amin Muhammad Dalhatu
18.	Kaduna	Muhammad Yaro
19.	Kaduna	Deborah S. Iliya
20.	Kano	Prof. D. Abdulkadir
21.	Kano	Alh. Haruna Ungogo
22.	Katsina	Justice Isa Dodo
23.	Katsina	Dr. Usman Bugaje
24.	Kebbi	Prof Tijjani Bande
25.	Kogi	Prof Y. O. Aliu
26.	Kwara	Nuruddeen Mohamed
27.	Kwara	Prof. Mohamed G. Yisa
28.	Lagos	Justice George Adesola Oguntade
29.	Lagos	Sen. O. Mamora
30.	Lagos	Mrs. Modupe Irele
31.	Nasarawa	Musa Ilu Muhammad
32.	Niger	Mohammed Ibeto
33.	Ogun	Mr. Ade Asekun
34.	Ondo	Barrister Sola Iji
35.	Osun	Adegboyega A. Ogunwusi
36.	Oyo	Maj. Gen. Ashimiyu A. Olaniyi (Rtd)
37.	Plateau	Pauline Talin
38.	Plateau	Dr. Haruna Sawa Abdullahi
39.	Rivers	Orji Ngofa
40.	Rivers	Justice Sylvanus Adiewere Nsofor
41.	Sokoto	Jamila Ahmadu-Suka
42.	Sokoto	Hon. Kabiru Umar
43.	Taraba	Alh. Mustapha Jaji
44.	Yobe	Goni Modu Zanna Bura
45.	Zamfara	Alh. Garba Gajam
46.	Zamfara	Cpt. Abdullahi Uba Garbasi

4. Announcement:

Acknowledgment:

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

(*i*) Members of Law Students Association, National Open University of Nigeria, Abuja; and

(*ii*) Staff and Students of Lightway Academy, Wuse II, Abuja.

5. Personal Explanation:

Rising on Rule 43, Senator Rilwan A. Akanbi *(Oyo South)* drew the attention of the Senate to the Newspapers publications of Thisday, Vanguard and Leadership of Tuesday, 18th October, 2016 over the Memorandum of Understanding (MoU) on crude oil contract between Nigeria and India which would be signed on or before December, 2016.

The Senate noted this observation.

6. Committee on Finance:

Report on the Nigerian Sovereign Investment Authority (Establishment, etc.) Act 2011 (Amendment) Bill, 2016 (SB. 38):

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

Question put and agreed to.

Report Laid.

7. Committee on Finance:

Report on the Committee on Finance on the 2016 Budget of the Federal Inland Revenue Service:

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

Question put and agreed to.

Report Laid.

8. Executive Communication:

Confirmation of Nomination:

Motion made: That the Senate do consider the Request of the President, Commander-in-Chief of the Armed Forces of the Federation, on the confirmation of nomination of the following persons for appointment as Justices of the Supreme Court of Nigeria:

S/N	Name	Geo Zone	State of Origin
1.	Hon. Justice Sidi Dauda Bage, JCA	North Central	Nasarawa
2.	Hon. Justice Paul Adamu Galinje, JCA	North East	Taraba

(*Deputy Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Judiciary, Human Rights and Legal Matters to report within two (2) weeks.

9. Motion:

Disturbing Developments in the Nigerian Aviation Industry:

Motion made: That the Senate notes with sadness the emerging challenges bedeviling the aviation industry as a result of the current economic recession where airlines like United Airlines, Iberia Airlines, Emirates and Kenya airlines have either suspended or about to withdraw their operations in the country;

disturbed that the implication of the current crisis is set to further make matters worse for the ordinary traveling Nigerians who are already bearing considerable burden over the current economic challenges we are facing;

observes that the problem of these airlines moving to withdraw their services from Nigeria has been partly as a result of their inability to repatriate their funds and meet with their operational obligations;

observes that the implications of this development is grave in terms of its impact on our job creation policy, investment drive and economic recovery plans;

notes with gladness the current steps being taken by government to use its policy directives to ameliorate the problems in order to forestall the collapse of the industry, including concessions and special arrangements to enable the airlines operate more conducively;

observes further that government must put the welfare of the Nigerian citizen foremost in its negotiations with the affected airlines; and

notes also that government must begin to put in place a more lasting and sustainable program of intervention and policy direction that will put the industry back in the course of growth.

Accordingly resolves to:

(*i*) support the government's move to intervene in the current challenges with a view to saving the traveling masses from greater hardship and reduce the ongoing suffering occasioned by these challenges;

(*ii*) urge government to ensure that it extracts from the airlines who are going to be benefiting from government special reviews, commitments not to increase fares arbitrarily and guarantee competitive ticket pricing within the regional market indicators; and

(*iii*) urge government to take another hard look at the currency management systems to save the country from further divestments and business failures in order to save Nigerian workers and their families the implication of Nigerian businesses going offshore (*Senator Dino Melaye — Kogi West*).

Debate:

Proposed Resolution (i):

Question: That the Senate do support the government's move to intervene in the current challenges with a view to saving the traveling masses from greater hardship and reduce the ongoing suffering occasioned by these challenges — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge government to ensure that it extracts from the airlines who are going to be benefiting from government special reviews, commitments not to increase fares arbitrarily and guarantee competitive ticket pricing within the regional market indicators — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do urge government to take another hard look at the currency management systems to save the country from further divestments and business failures in order to save Nigerian workers and their families the implication of Nigerian businesses going offshore — *Agreed to.*

Additional Proposed Resolution:
Insert Additional Proposed Resolution as follows:
"Urge the Federal Airport Authority of Nigeria to denominate all the charges in local currency" (*Senator Ike Ekweremadu — Enugu West).*

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

Resolved:
That the Senate do:

(*i*) support the government's move to intervene in the current challenges with a view to saving the traveling masses from greater hardship and reduce the ongoing suffering occasioned by these challenges;

(*ii*) urge government to ensure that it extracts from the airlines who are going to be benefiting from government special reviews, commitments not to increase fares arbitrarily and guarantee competitive ticket pricing within the regional market indicators;

(*iii*) urge government to take another hard look at the currency management systems to save the country from further divestments and business failures in order to save Nigerian workers and their families the implication of Nigerian businesses going offshore; and

(*iv*) urge the Federal Airport Authority of Nigeria to denominate all the charges in local currency ***(S/Res/032/02/16).***

10. Committee on Special Duties:
Report on the North East Development Commission Bill, 2016 (SB. 33 and SB. 163):
Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Special Duties on the North East Development Commission Bill, 2016 (*Adjourned consideration — Tuesday, 14th June, 2016) (Deputy Senate Leader)*

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NORTH EAST DEVELOPMENT COMMISSION IN THE FEDERAL REPUBLIC OF NIGERIA TO ADDRESS THE DEVASTATION CAUSED BY INSURGENCY AND OTHER CONNECTED MATTERS.

PART I - ESTABLISHMENT OF NORTH EAST DEVELOPMENT COMMISSION.

Clause 1: Establishment of North East Development Commission.

(1) There is established a Commission to be known as the North East Development Commission (in this Bill referred to as "the Commission").

(2) The Commission shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The Commission shall have its head Office in Maiduguri, Borno State and shall establish an office in each Member State of the North East Zone.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 2: Establishment of the Governing Board.

(1) There is established for the Commission, a body to be known as the Governing Board (in this Bill referred to as "the Board").

(2) The Board shall consists of -

(a) The Chairman;

(b) the Managing Director;

(c) three Executive Directors, one from each Member State not being represented by the Chairman of the Board, the Managing Director, and the representative of the North East Zone. The Executive Directors shall be:

(i) Executive Director Administration and Finance;

(ii) Executive Director Humanitarian Affairs; and

(iii) Executive Director Operations

(d) one person each to represent the six geo-political zones of the Country as listed below -

(i) North Central

(ii) North East

(iii) North West

(iv) South East

(v) South South

(vi) South West

(e) one person to represent;

(i) Federal Ministry of Finance;

(ii) Minister responsible for Budget and National Planning.

(f) the Managing Director of the Commission.

(3) At no time should any Member State within the North East Zone, have two members on the Board.

(4) The Chairman and other members of the Board shall -

(a) be appointed by the President, subject to the confirmation of the Senate, in consultation with the House of Representatives; and

(b) be persons of proven integrity and ability.

(5) The members of the Board referred to in paragraph (a - d) of subsection (2) of this section shall be part-time members.

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

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 3: **Tenure of office.**
Subject to the provisions of Section 4 of this Bill a member of the Board other than an ex-officio member, shall hold office for a term of 4 years at the first instance and may be re-appointed for a further term of 4 years and no more.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 4: **Rotation of Offices of the Commission.**
The Office of the Chairman, Managing Director and Executive Directors established in Section 2(2) shall rotate amongst the Member States of the Commission.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 5: **Resignation, Cessation or removal from Membership of the Board.**

(1) The Members of the Board referred to in Section 2(2) (a) to (d) may resign their appointments by notice in writing addressed to the President.

(2) A member of the Board may cease membership if the member-

(a) becomes of unsound mind;

(b) becomes bankrupt;

(c) is convicted of a felony or of any offence involving dishonesty; and

(d) is guilty of serious misconduct in relation to the Office;

(3) A member other than ex-officio member may resign his or her appointment by notice in writing to the President which resignation shall take effect upon receipt and approval by the President.

(4) Where vacancy exists in the membership of the Board, the vacancy shall be filled by appointment of a person representing the area where the vacancy exists, to complete the remainder of the term of office of the predecessor.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 6: Remunerations and Allowances.

There shall be paid to every member of the Board such remunerations, allowances and expenses as the Federal Government may, from time to time direct.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

PART II - FUNCTIONS AND POWERS OF THE COMMISSION

Clause 7: Functions and powers of the Commission.

(1) The Commission shall -

(a) formulate policies and guidelines for the development of the North East Zone;

(b) cause the North East Zone to be surveyed in order to ascertain the extent of loss/destructionand embark upon measures that are necessary for proper planning and implementation of physical and socio-economic reconstruction of the Zone. The survey shall include:

(i) determine/ascertain persons who were killed/missing and the details of their dependents;

(ii) detailed account of destruction and valuation of infrastructure and assets destroyed;

(iii) requirements for rehabilitation and reconstruction of infrastructure (roads, bridges, etc.), institutions (schools, hospitals, palaces, homes, places of worship, etc.);

(iv) requirements for recapitalisation of businesses and empowerment schemes for poverty alleviation;

(v) requirements for re-activation of health, nutrition, agriculture, education and welfare services;

(vi) requirements for the re-orientation of youth and out of school children including modernization of schools and 'almajiri' education.

(vii) peace and conflict impact assessment to determine the root causes and impact of the crises; and the factors inhibiting reconciliation and peaceful co-existence.

(c) To develop a master plan based on the needs assessment of the Zone to be known as the North East Stabilization and Development Master Plan; the Master Plan shall contain programmes and schemes that promote and facilitate the physical and socio-economic development of the North East Zone; and it shall contain estimates of the time and costs of implementing such programmes and schemes;

(d) coordinate in accordance with set rules and regulations, projects and programmes within the Master Plan for the rehabilitation, resettlement reconciliation, reconstruction and sustainable development of the North East Zone in the fields of infrastructure, human and social services including health and nutrition, education and water supply, agriculture, wealth creation and employment opportunities, urban and rural development, and poverty alleviation;

(e) liaise with Federal Ministries, Departments and Agencies, States and Development Partners on the implementation of all measures approved in the Master Plan for the stabilization and development of the North East Zone by the Federal Government;

(f) subject to the approval of the Federal Government and appropriation by the National Assembly, implement programmes and schemes contained in the Master Plan but not captured by Federal Ministries, Departments and Agencies, State Governments and Development Partners;

(g) identify factors inhibiting the development of the North East Zone and assist member states and other stakeholders in the formulation of policies to ensure sound and efficient management of the resources of the Zone;

(h) assess and report on any project being funded or carried out in the North East Zone by any Federal Ministry, Department and Agency or company that has an agreement with the Federal Government; and ensure that funds released for such projects are properly utilized;

(i) liaise with other stakeholders on the tackling of humanitarian, ecological and environmental problems and degradation that arise from natural causes, the insurgency and industrial activities in the North East Zone;

(j) liaise with various industries and companies within the Zone on all matters of pollution prevention and control; and environmental disaster management;

(k) seek humanitarian, human, material, technical and financial support from development partners (local/ international) and Non-Governmental Organisations with a view to developing the North East Zone;

(l) interface with development partners (local/international) and Non-Governmental Organisations to ensure synergy with other stakeholders in line with the Master Plan;

(2) coordinate civil-military confidence building and stabilization measures and also activities that lie within the civil-military interface especially before, during and after military and security operations

(3) coordinate such other works and perform such other functions, which in the opinion of the Commission are required for the sustainable development of the North East Zone;

(4) In exercising the powers and functions under this section the Commission shall liaise with other stakeholders that are active in the Zone.

(5) The Commission shall be subject to the direction, control or supervision in the performance of its functions under this Bill by the President of the Federal Republic of Nigeria.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 8: **Powers of the Commission.**
The Board shall have power to -

(a) manage and supervise affairs of the Commission;

(b) make rules and regulations for carrying out the functions of the Commission;

(c) enter and inspect premises, projects and such places as may be necessary for the purposes of carrying out its functions under this Bill;

(d) pay the staff of the Commission such remuneration and allowances as appropriate;

(e) enter into such contracts as may be necessary or expedient for the discharge of its functions and ensure the efficient performance of the functions of the Commission;

(f) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill;

(g) pay to persons so employed such remuneration, including allowances, as the Board may determine; and

(h) do such other things as are necessary and expedient for the efficient performance of the functions of the Commission.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

PART III - STRUCTURE OF THE COMMISSION

Clause 9: **Structure of the Commission.**

(1) There shall be established in the head Office of the Commission, the following Departments -

(a) Services Department.

(b) Humanitarian Department

(c) Technical Department

(2) There shall exist Projects Monitoring and Supervision Unit which shall be under relevant department.

(3) The Board may create, increase or decrease the number of Departments, Divisions and Units as it may deem necessary and expedient to facilitate the realisation of the objectives of the Commission.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) — *Agreed to.*

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

Clause 10: **Special Department.**

Civil-Military Relations Department

(1) There shall be established by the Board a Special Department to be known as the Civil-Military Relations Department.

(2) The Department shall consist of representatives of the following

(a) Armed Forces;

(b) Nigeria Police Force;

(c) Department of State Services;

(d) Nigeria Immigration Service;

(e) Nigeria Customs Service;

(f) National Security and Civil Defence Corp;

(g) National Drug Law Enforcement Agency; and

(h) Other security agencies as may be determined by the Board.

(3) The Department created under subsection 1 above shall be headed by an Officer not below the rank of Lieutenant Colonel or its equivalent and must have been senior staff trained in the armed forces

(4) The function of the Department shall include-

(a) Liaise between the Commission and respective services; and

(b) Interface with the Defence Headquarters and other security agencies on matters related to Civil-Military relations during the pre-combat, combat and post combat phases of military/security operations.

(5) The Civil-Military Relations Department may be wound down by the Board after the post combat/stabilization phase of military/security operations in the Zone.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 11: Establishment of the Management Committee.

(1) There shall be for the Commission a Management Committee which shall consist of -

(a) The Managing Director; and

(b) the Directors responsible for the Departments established under Section 9 of the Bill and such number of other members as may be determined from time to time by the Board;

(2) The Management Committee shall be responsible to the Board for the general administration of the Commission.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 12: Commission Secretary/Legal Adviser.

(1) The Board shall appoint a Secretary to the Commission who shall also act as its Legal Adviser.

(2) The Secretary to the Commission must be a legal practitioner of not less than Ten (10) years post call to Bar experience and must possess the requisite experience to hold such an Office.

(3) The Secretary shall-

(a) Keep proper records and books of the Commission;

(b) Record proceedings of the Board and its Committees;

(c) Be responsible for the administration of the Secretariat;

(d) Issue notices of meetings of the Board and its committees; and

(e) Be responsible to the Managing Director and the Board.

(4) the Secretary shall hold office on such terms and conditions as specified by the Board.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 13: Advisory Committee of the Commission.

(1) There is established for the Commission, a North East Development Advisory Committee (in this Act referred to as "the Advisory Committee") which shall consist of -

(a) the Governors of the member States of the Commission; and

(b) two other persons as may be determined, from time to time, by the President of the Federal Republic of Nigeria.

(2) The Advisory Committee shall be charged with the responsibility of advising the Board and monitoring the activities of the Commission, with a view to achieving the objective of the Commission.

(3) The Advisory Committee may make rules regulating its own affairs.

Committee's Recommendation:
Leave out the provision in Clause 13(*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

PART IV - STAFF OF THE COMMISSION

Clause 14: Staff of the Commission.

(1) There shall be for the Commission, a Managing Director who shall be from the Member States, and shall -

(a) have such qualification and experience as appropriate for a person required to perform the functions of the Office under this Bill, and

(b) be the Chief Executive and Accounting Officer of the Commission.

(c) be appointed by the President of the Federal Republic of Nigeria and confirmed by the Senate in consultation with House of Representatives;

Amendment Proposed:
Immediately after the word "Senate" in line 2, *leave out* all the words (*Senator Joshua M. Lidani — Gombe South).*

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

(d) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and subject to the provision of Section 3 of this Bill.

(2) The Managing Director shall, subject to the general direction of the Board, be responsible -

(a) for the day to day administration of the Commission;

(b) general direction and control of other employees of the Commission (*Senator Abdul-Aziz M. Nyako — Adamawa Central).*

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

Clause 15: Pension Reform Act, No. 2 of 2004.

(1) Service in the Commission shall be approved service for the purposes of the Pensions Reform Act.

(2) Nothing in subsection (1) of this Section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

(3) For the purposes of the application of the provisions of the Pensions Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations under Section 23 thereof is hereby vested in and shall be exercisable by the Commission, and not by any other person or authority.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

PART V - FINANCIAL PROVISIONS

Clause 16: Funds of the Commission.

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

(2) There shall be paid and credited to the fund established pursuant to subsection (1) of this Section -

(a) 25 percent of monies due to member States of the Commission from the ecological Fund;

(b) such monies as may from time to time, be granted or lent to or deposited with the Commission by the Federal or a State Government, any other body or institution whether local or foreign;

(c) all moneys raised for the purposes of the Commission by way of gifts, loan, grants-in-aid, testamentary disposition or otherwise; and

(d) proceeds from all other assets that may, from time to time, accrue to the Commission.

(e) 15% cost of Mining lease/license granted by the Federal Government for mining within the Member States

(f) Budgetary Allocation from the Federal Government made to the Commission

(g) Royalties on Mining areas in the Member States

(h) Fees charged by the Commission

(i) 3% of Federal Government Value Added Tax (VAT) remittance for a period of Ten (10) years to be given to the Commission.

(j) All monies collected by the Federal Government for the development of the North East Zone should be domiciled in the Commission.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 17: Application of the Commission funds.

(1) The Commission shall apply the proceeds of the fund established pursuant to Section 15 of this Bill to -

(a) the cost of administration of the Commission;

(b) the payment of salaries, fees, remuneration, allowances, pensions and gratuities payable to the members of the Board specified in Section 6 of this Bill or any committee of the Board and the employees of the Commission;

(c) the payment for all contracts, including mobilisation, fluctuations, variations, legal fees and cost on contract administration;

(d) the payment for all purchases; and

(e) undertaking such other activities as are connected with all or any of the functions of the Commission under this Act.

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

(3) The Commission shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Commission under this Bill.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 18: Annual Estimates and Expenditure.

(1) The Board shall, not later than 30th September in each year, submit to the President of the Federal Republic of Nigeria an estimate of the expenditure and income of the Commission during the next succeeding year for approval.

(2) The Board shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 19: Annual Report.

(1) The Board shall submit to the President of the Federal Republic of Nigeria, report on the activities and administration of the Commission.

(2) The Board shall prepare and submit to the President of the Federal Republic of Nigeria, not later than 30th June in each year, a report in such form as the President of the Federal Republic of Nigeria may direct on the activities of the Commission during the immediately preceding year, and shall include in the Report a copy of the audited accounts of the Commission for that year and the Auditor's Report thereon.

(3) The President, upon receipt of the Report referred to in subsection (1) of this Section, cause a copy of the Report and the audited accounts of the Commission and the Auditor's Report thereon to be submitted to each House of the National Assembly.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

PART VI - MISCELLANEOUS

Clause 20: Monitoring Committee.

(1) There is established for the Commission a Monitoring Committee which shall consist of such number of persons as the President of the Federal Republic of Nigeria may deem fit to appoint from the Public or Civil Service of the Federation.

(2) The Monitoring Committee shall -

(a) monitor the management of the funds of the Commission and the implementation of the projects of the Commission; and

(b) have access to the books of accounts and other records of the Commission at all times, and submit periodical reports to the President of the Federal Republic of Nigeria.

Committee's Recommendation:
Leave out the provision in Clause 20(*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

Clause 21: Office and Premises of the Commission.

(1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Commission may, subject to the Land Use Act -

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

(b) construct offices and premises and equip and maintain same.

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

Committee's Recommendation:
That the provision in Clause 21 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 22: **President Directives.**
Subject to the provisions of this Bill, the President of the Federal Republic of Nigeria, may give to the Commission directives of a general nature or relating generally to matters of policy with regards to the performance by the Commission of its functions and it shall be the duty of the Commission to comply with the directives

Committee's Recommendation:
That the provision in Clause 22 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 23: **Public Officer Protection Act, CAP. P41 LFN, 2004.**

(1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.

(2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Managing Director or any other officer or employee of the Commission for any act done in pursuance or execution of this Bill or any other law or enactment, or of any duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority, shall lie or be instituted in any court unless -

(a) it is commenced within three months next after the Act, neglect or default complained of; or

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

(3) No suit shall be commenced against the Commission before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent; and the notice shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought.

Committee's Recommendation:
That the provision in Clause 23 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 24: **Services of Notices, Summons and other Documents.**
A notice, summons or other document required or authorised to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Managing Director or by sending it by registered post and addressed to the Managing Director at the principal office of the Commission.

Committee's Recommendation:
That the provision in Clause 24 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 25: **Payment of Judgment Debts.**
(1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued.

(2) Any sum of money which may, by the judgment of any court be awarded against the Commission shall, subject to any direction given by the court where no notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Commission.

Committee's Recommendation:
Leave out the provision in Clause 25 (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

Clause 26: **Indemnity of Officers.**
A member of the Board, the Managing Director, any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Managing Director, officer or employee of the Commission.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 27: **Regulations.**
The Board may, with the approval of the President of the Federal Republic of Nigeria, make regulations, generally for the purposes of giving full effect to this Bill.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

Clause 28: **Interpretation.**
In this Bill -

"President" means the President of the Federal Republic of Nigeria;

Question: That the word "President" in the Interpretation to this Bill, put and agreed to.

"Chairman" means the Chairman of the Board;

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

"Commission" means the North East Development Commission established by Section 1 of the Bill;

Question: That the word "Commission" in the Interpretation to this Bill, put and agreed to.

"Board" means the Governing Board established for the Commission under Section 2(1) of this Bill;

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

"Member State" means Adamawa State, Bauchi State, Borno State, Gombe State, Taraba State, and Yobe State.

Amendment Proposed:
Immediately after the words "Yobe State" *insert* the words "Kano and Plateau States" (*Senator Kabiru G. Marafa — Zamfara Central).*

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

"North East Zone" means Member States.

Question: That the words "North East Zone" in the Interpretation to this Bill, put and agreed to.

"Stakeholders" include all the Federal Government Ministries, Departments, and Agencies, Member States, Local Governments, Development Partners, Non-Governmental Organisations/ Civil Society Organisations, Communities and grassroots.

Question: That the word "Stakeholders" in the Interpretation to this Bill, put and agreed to.

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

Clause 29: Citation.
This Bill may be cited as the North East Development Commission (Establishment, etc) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Abdul-Aziz M. Nyako — Adamawa Central*) *— Agreed to.*

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC.

1. (1) Subject to the provisions of this Bill and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

(2) The quorum of the Board shall be the Chairman or the person presiding at the meeting, the Managing Director or one Executive Director and one third of other members of the Board. The quorum of any Committee of the Commission shall be as determined by the Board.

2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

(2) At any meeting of the Board the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their member to preside at the meeting.

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board such functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a persons shall hold office on the committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

4. (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorised by the Board to act for that purpose and the Managing Director.

(2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be executed.

5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by -

(a) a vacancy in the membership of the Board or Committee;

(b) a defect in the appointment of a member of the Board or Committee; or

(c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee.

Question that paragraphs 1,2,3,4, and 5 stand part of the 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 Special Duties on the North East Development Commission Bill, 2016 and approved as follows:

Clauses 1- 13	—	As Recommended
Clause 14	—	As Amended
Clauses 15- 27	—	As Recommended
Clause 28	—	As Amended
Clause 29	—	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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Committees on Establishment and Public Services; and Appropriations:
Report on the National Assembly Budget and Research Office (Establishment, etc.) Bill, 2016 (SB.222):
Motion made: That the Senate do consider the Report of the Committees on Establishment and Public Services; and Appropriations on the National Assembly Budget and Research Office (Establishment, etc.) Bill, 2016 (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE, WHICH SHALL PROVIDE THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS AND OTHER RELATED MATTERS, 2016

Clause 1: Establishment of the Office.

(1) There is established under this Bill the National Assembly Budget and Research Office (in this Bill referred to as "NABRO").

(2) NABRO shall be a body corporate with perpetual succession, an official seal, and shall have power to sue and be sued in its corporate name.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 2: **Functions.**
The functions of NABRO shall be to —

(a) provide independent, unbiased and non-partisan analysis of the national budget estimates;

(b) provide independent unbiased analysis of the budget of the National Assembly and assist all the Committees of the National Assembly in developing their annual budgets;

(c) provide independent and continuous review of the budget of the Federal Government including monitoring of existing and proposed programme and budgets;

(d) provide assistance to all Committees in both Chambers of the National Assembly, including—
  (i) information with respect to budget and all bills relating to new budget heads;
  (ii) information with respect to estimated future revenue and changing revenue conditions;
  (iii) aggregate of all current liabilities and existing financial commitments; and
  (iv) any related information as the Committees may request.

(e) provide analysis of the economic implication on the private sector, the budgetary and financial implication on States and Local Governments of any proposed legislation;

(f) prepare and present to the National Assembly periodic forecasts of economic trends and alternative fiscal policies;

(g) provide the National Assembly with cost estimates including an analysis of the inflationary impact of any proposed legislation;

(h) submit to both Chambers of the National Assembly, (not later than June every year), a report of—
  (i) all items funded in the preceding financial year for which no appropriation was made by the National Assembly; and
  (ii) all items contained in the Appropriation Act in the preceding financial year but which were not funded by the Federal Government.

(i) Publish and disseminate on its website information it generates including reports, analysis, forecasts, etc; and

(j) carry out any other functions as the Board may direct from time to time (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Amendment Proposed:
Insert new subsection 2(k) as follows:
"submit to both Chambers of the National Assembly quarterly report on budget implementation" *(Senator Joshua M. Lidani — Gombe South).*

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

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

Clause 3: **Power of NABRO**
NABRO shall have the power to do all things necessary to or in connection with the performance of its functions, including, but not limited to the power to—

(a) enter into agreement, acquire, hold and dispose of property;

(b) procure the services of experts, consultants and organisations;

(c) enter into partnership or affiliation with any company, firm, organization, agency or person, which in its opinion will facilitate the discharge of its functions;

(d) request for and obtain, from any public enterprise, statistical and other information including reports, memoranda, audited accounts and other information relevant to its functions;

(e) liaise with relevant bodies or institutions, national or international for effective performance of its functions;

(f) conduct any study necessary, to enable it fulfill its mandate; and

(g) determine the methodologies needed for use in its works.

Committee's Recommendation:
That the provision in Clause 3 be retained *(Senator Emmanuel I. Paulker — Bayelsa Central) — Agreed to.*

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

Clause 4: **Governing Board.**

(1) There shall be for NABRO, a Governing Board (in this Bill referred to as "the Board").

(2) The Board shall comprise of the following:—

(i) The President of the Senate as the Chairman and the Speaker of the House of Representatives as the Vice Chairman and six members of the National Assembly

Amendment Proposed:
Immediately after the word "and" in line 2, *leave out* all the words and *insert* the words "six Members from the Senate and six Members from the House of Representatives representing each geo-political zone" *(Senator Albert B. Akpan — Akwa Ibom North-East).*

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

(ii) The Director General shall be a member and secretary of the Board.

(3) Members of the Board shall be appointed by the President of the Senate in consultation with the Speaker of the House of Representatives.

(4) The Chairman and members of the Board shall be part-time members.

(5) The provision of the Schedule to this Bill shall apply with respect to proceedings of the Board (*Senator Emmanuel I. Paulker — Bayelsa Central*)

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

Clause 5: **Qualification for Membership.**
Members of the Board shall have relevant professional qualification and experience.

Committee's Recommendation:
Leave out the provision in Clause 6 (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

Clause 6: **Removal from Office.**
The Chairman or any member of the Board other than ex officio members shall be removed from office, by simple majority votes of each Chamber of National Assembly.

Committee's Recommendation:
Leave out the provision in Clause 6 (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

Clause 7: **Remuneration/Allowances of Members.**
There shall be paid to every member of the Board except the Director-General, such remunerations, allowances and expenses as determined by the Revenue Mobilisation Allocation and Fiscal Commission.

Committee's Recommendation:
Leave out the provision in Clause 7 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

Clause 8: **Powers of the Governing Board.**
The Governing Board shall have supervisory authority over NABRO and shall exercise the following powers—

(a) appointment and discipline of Directors; in accordance with the Public Service Rules of the Federal Republic of Nigeria.

(b) approval and ratification of appointments, promotion and discipline of professional analysts and other professional staff of the office, as may be recommended by the Director General;

(c) approval of NABRO budget subject to ratification by National Assembly;

(d) to make regulations and guidelines for the operation of the Office;

(e) approval of establishment of Departments as the need arises; and

(f) to take any action necessary for the proper functioning of NABRO.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 9: Establishment and Functions of the Management Committee.

(1) There shall be for NABRO a Management Committee comprising the Director-General and the Directors who shall be responsible for—

(a) the implementation of the requests from the Committees of the National Assembly and the day-to-day administration of NABRO;

(b) making recommendations to the Governing Board on appointment, promotion and discipline of professional staff other than Directors, and

(c) any other duties as the Governing Board may direct.

(2) NABRO shall be structured into functional departments each headed by a Director.

(3) Subject to the power of the Governing Board to create additional departments, the following departments shall exist—

(a) Budget Analysis Department

(b) Research and Analysis Department

(c) Administrative and Services Department.

(4) Functions and duties of each department shall be as defined in an operational manual approved by the Governing Board.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 10: Appointment, Duties, Tenure and Removal of the Director-General.

(1) The Director-General shall be the Chief Executive and Accounting Officer of NABRO.

(2) The Director General shall be appointed by the governing Board.

Amendment Proposed:
Immediately after the words "appointed by the", *leave out* the words and *insert* the words "Senate President in consultation with the Speaker, House of Representatives" (*Senator Ike Ekweremadu — Enugu West).*

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

(3) The Director General shall possess appropriate qualifications in the relevant field and 20 years cognate experience.

(4) The Director-General shall not be a member of a political party.

(5) The Director-General shall hold office for a period of 4 years, and may be eligible for reappointment for one more term of 4 years only, provided the Governing Board considers his performance satisfactory.

(6) The Director-General shall be responsible for the overall operations of NABRO including but not limited to—

(a) procuring the temporary (not to exceed one year) of intermitted services of expert or consultants or organizations thereof by contracts as independent contractors, or, in the case of individual experts or consultants by employment at rates of pay not in excess of the daily equivalent of the highest rate of basic pay payable under the conditions of service in the Federal Civil Service of the Federal Republic of Nigeria.

(b) The Director General shall secure information, data, estimates and statistics directly from the various departments of the Executive branch of the government and the regulatory agencies and communications of government. All such departments, agencies, establishments, regulatory agencies and commissions shall furnish the Director General with available material which it determines to be necessary in the performance of his duties and functions (other than material disclosure of which would be a violation of this Act.) The Director General is also authorized, upon agreement with the head of any such department, agency, establishment, regulatory agency or commission to utilize its services, facilities and personnel with or without reimbursement; and head of each such department, agency or commission is authorized to provide the office such services, facilities and personnel.

(c) steering and overseeing the provision of analysis of the annual budget estimates of the Federal Government and the implementation of the requests or directives of Legislative Committees;

(d) general management and administration of NABRO;

(e) controlling and disbursing amounts from funds established in accordance with this Bill; and

(f) The Director General shall establish a transparent system and process for the National Assembly Budget

(7) The Director General may be removed from office upon a resolution of each House of the National Assembly.

Amendment Proposed:
Immediately after the word "office" in line 1, *leave out* the words and *insert* the words "by the Board" (*Senator Solomon O. Adeola — Lagos West).*

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

(8) The Director-General may resign from office upon giving 3 months written notice of resignation to the Governing Board or payment of 3 months basic salaries in lieu of notice (*Senator Emmanuel I. Paulker — Bayelsa Central*).

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

Clause 11: Appointment, Duties, Tenure and Removal of Directors.

(1) The Directors for the Departments shall be appointed by the Governing Board in a transparent manner and the appointments shall be based solely on professional competence and qualification.

(2) The Directors shall be professionals in the relevant fields and shall be persons of proven integrity with at least a Master's degree and a minimum of 15 years post qualification and relevant experience.

(3) The Directors shall not be members of a political party.

(4) The Directors may be removed from office by the Governing Board upon recommendation of the Director-General for inability to discharge the function of the office or for misconduct.

(5) A Director may resign his office upon giving 3 months written notice of resignation to the Governing Board or payment of 1 month basic salary in lieu of notice.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 12: Other Staff.

(1) The Management Committee shall appoint such other staff as may be necessary to carry out the duties and functions of NABRO in accordance with internationally acceptable transparency standards and such appointments shall be made solely on the basis of qualification and competence.

(2) In carrying out the duties and functions of NABRO, the Management Committee may procure the services of experts or consultants by contract, subject to ratification by the Governing Board.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 13: Remuneration of Directors, Professional Analyst and Staff.

(1) The Directors, Professional Analysts and Professional Staff of NABRO shall receive such remuneration as shall be determined by the Governing Board.

(2) Such remuneration shall be competitive.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 14: Remuneration of Other Staff Pension CAP 4 LFN.

(1) Service in NABRO shall be approved service for the purpose of the Pensions Act, and accordingly, officers and other persons employed in NABRO in respect of their service shall be entitled to pension, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.

(2) Nothing in subsection (1) of this section shall prevent the appointment of a person in NABRO on terms, which preclude the grant of a pension or gratuity in respect of service in NABRO.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 15: Regulations.

The Governing Board may by regulations, first laid before the National Assembly, and published in the Gazette prescribe the—

(a) duties and responsibilities of the Director-General, Directors, Professional Analysts, Professional Staff and other Staff of NABRO;

(b) disciplinary control of employees of NABRO and mode of appeal by such employees against dismissals or other disciplinary measure;

(c) administrative or organizational structure of NABRO;

(d) promotion and staff welfare; and

(e) other guidelines.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 16: Funds, Estimates of expenditure, etc.

(1) NABRO shall derive its Fund from—

(a) such monies as may in each year be approved by the National Assembly under the Appropriation Act for the purposes of carrying out the duties and functions of NABRO;

(b) such monies as may from time to time, be granted or deposited with NABRO by the National Assembly or anybody or institution within the country;

(c) all monies raised for the purposes of NABRO by way of gifts, loans, grants-in-aid, testamentary dispositions or otherwise;

(d) proceeds from other assets that may from time to time accrue to NABRO.

(2) Such monies derived for the purpose of running NABRO shall be declared to the National Assembly who shall then appropriate such funds before spending except for grants in aids attached to programme or projects.

(3) NABRO shall defray from the Fund all expenditures incurred by it and shall include—

(a) the cost of administration;

(b) the payment of salaries, fees or other remunerations or allowances and pensions and gratuities payable to members and employees of NABRO; and

(c) anything done in connection with any of its functions under this Bill.

(4) The Director General shall prepare not later than 30th June of each year, an estimate of the expenditure and income of the office for the succeeding year which shall be submitted to the governing Board for approval

(5) The Director-General shall keep accounts and receipts, payments, assets and liabilities and shall in respect of each year prepare a statement of account in such form as the National Assembly may direct.

(6) The Director-General shall within 3 months after the end of the financial year to which the account relates, cause the account to be audited by auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 17: Obtaining of Data by the Director General.
The Director-General may, for the purpose of coordinating the operations of NABRO with those of the National Assembly Agencies, obtain information, data, estimates and statistics developed by the Committees, Clerk and all other offices of the National Assembly.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 18: Obtaining of Data from Public Bodies.

(1) The Director-General shall obtain information, data, estimates and statistics directly from ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments; and all such ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments shall furnish the Director-General with all materials that are necessary in the performance of his duties.

(2) The Director-General may, upon agreement with the head of any Ministry, Extra-Ministerial departments, parastatals, agency, Commission or establishment, utilize its services, facilities and personnel as needed by NABRO.

(3) The Director-General may assign Professional and other staff of NABRO to any Ministry, Extra-Ministerial department, parastatals, agency, commission or establishment including joint ventures where Government is a party for the purpose of obtaining primary data and statistics.

(4) The Director-General may assign Professional Staff or Consultants to conduct surveys as may be required by NABRO.

(5) (a) It shall be mandatory for any MDAs to submit information, data, estimates and statistics as requested by NABRO, failure of compliance will be reported to the Senate and the House of Representatives (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Amendment Proposed:
Insert new subclause 18(5)(b) as follows:
any person who refuses and neglects to submit information, data, estimates and statistics as requested by NABRO, is said to have committed an offence liable to two (2) years imprisonment or fine of ₦2 million or both (*Senator Joshua M. Lidani — Gombe South*).

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

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

Clause 19: Interpretation.
In this Bill—
"committees" means committees established under the rules of both the Senate and the House of Representatives;

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

"core revenue" means accruable revenue;

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

"economic related committees" mean committees on Aids, Loans and Debt Management; Appropriation; Banking and Currency; Capital Market; Finance; Legislative Budget and Research; National Planning and Population; Public Accounts; and any other committee(s) that may be established according to the Standing Orders of either House of National Assembly;

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

"misconduct" as provided in the Code of Conduct for Public Officers;

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

"permissible aggregate government expenditure" means the total spending ceilings or limits;

Question: That the word "permissible aggregate government expenditure" be as defined in the Interpretation to this Act, put and agreed to.

"property" means land or building and includes intellectual property;

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

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 20: Citation
This Bill may be cited as the National Assembly Budget and Research Office Bill, 2016.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

SCHEDULES

Supplementary Provision Relating to the Board, Etc.

1. (1) At any meeting of the Board, the Chairman shall preside and in his/her absence, the Vice Chairman or such member of the Board as the other members may elect among themselves for that purpose.

(2) The Director-General shall be the Secretary; and shall provide secretariat services for all meetings of the Governing Board.

(3) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceeding or those of any of its Committees.

2. The Quorum of the Board shall be the four (4) members of the Board.

3. The Board may appoint one or more Committees to carry out, on behalf of the Board, such of its functions as the Board may determine, but no decision of any such Committee shall have effect unless ratified by the Board.

4. The Board may co-opt persons who are not members of the Board to any meeting of the Board or any Committee and such persons may take part in the deliberations of the Board or any Committee but shall not be entitled to vote.

5. The fixing of the seal of office shall be authenticated by the Signature of the Chairman or any other member of the Board generally or, specifically authorized by the Board to act for that purpose and the Director-General.

(a) a document purporting to be a document duly executed under the seal of NABRO shall be received in evidence and shall, unless and until the contrary is proved, be presumed so executed.

6. The validity of any proceedings of the Board or a Committee shall not be adversely affected by—

(a) the validity in the membership of the Board or Committee;

(b) a defect in the appointment of a member of the Board or Committee; or

(c) reason that a person not entitled to do so, took part in the proceeding of the Board or Committee.

Question that paragraphs 1, 2, 3, 4, 5, and 6 under the Head "provision relating to the board" stand part of the 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 Committees on Establishment and Public Services; and Appropriations on the National Assembly Budget and Research Office (Establishment, etc.) Bill, 2016 and approved as follows:

Clauses 1- 9	—	As Recommended
Clause 10	—	As Amended
Clauses 11- 17	—	As Recommended
Clause 18	—	As Amended
Clauses 19 and 20	—	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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

12. Committee on Health:
Report on the Counterfeit and Fake Drugs and Unwholesome processed Food (Miscellaneous Provisions) Act 2004 LFN (Amendment) Bill, 2016 (SB. 55):

Consideration of Report deferred to another Legislative Day.

13. Committee on Judiciary, Human Rights and Legal Matters:
Report on the Sexual Harassment in Tertiary Education Institution Bill, 2016 (SB. 262):

Consideration of Report deferred to another Legislative Day.

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

Consideration of Report deferred to another Legislative Day.

15. **Official Secrets Act CAP O3 LFN 2004 (Amendment) Bill, 2016 (HB. 317 & 426):**

Consideration of Report deferred to another Legislative Day.

16. **National Film and Video Censor Board Act CAP N40 LFN 2004 (Amendment) Bill, 2016 (HB.224):**

Consideration of Report deferred to another Legislative Day.

17. **Pension Rights of Judges Act CAP P5 LFN 2004 (Amendment) Bill, 2016 (HB. 06):**

Consideration of Report deferred to another Legislative Day.

18. **Federal Capital Territory District Courts (Establishment, etc) Bill, 2016 (HB. 07):**

Consideration of Report deferred to another Legislative Day.

19. **River Basin Development Authority Act CAP R9 LFN 2004 (Amendment) Bill, 2016 (HB. 58, 235, 350):**

Consideration of Report deferred to another Legislative Day.

20. **Mortgage Institutions Act CAP M19 LFN 2004 (Amendment) Bill, 2016 (HB. 253):**

Consideration of Report deferred to another Legislative Day.

21. **Oaths Act CAP O1 LFN 2004 (Amendment) Bill, 2016 (HB. 169):**

Consideration of Report deferred to another Legislative Day.

22. **Nigerian Investment Promotion Commission Act CAP N117 LFN 2004 (Amendment) Bill, 2016 (HB. 248):**

Consideration of Report deferred to another Legislative Day.

23. **Dangerous Drugs Act CAP D1 LFN 2004 (Amendment) Bill, 2016 (HB. 292):**

Consideration of Report deferred to another Legislative Day.

24. **Adjournment:**
Motion made: That the Senate do now adjourn till Tuesday, 25th October, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:02 *p.m.*

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