SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 12th July, 2016

1. The Senate met at 10:54 a.m. The Senate President read Prayers.

2. **Closed Session:**
Closed Session — 10:55 a.m.

Open Session — 12:02 p.m.

The Senate President reported that the Senate in a Closed Session deliberated on issues bothering on the workings of the Senate in particular and the National Assembly in general.

3. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 23rd June, 2016.

Question was put and the Votes and Proceedings were approved.

4. **Announcements:**
(a) Book Launch:
The Senate President read a letter from Senator George Akume (*Benue North-West*) as follows:

SENATOR GEORGE AKUME fnim
BENUE-NORTH WEST SENATORIAL DISTRICT
FEDERAL REPUBLIC OF NIGERIA

NASS/SGA/SEN.VOL.1 *July 12th, 2016*

H.E Bukola Saraki
President of the Senate
Federal Republic of Nigeria
National Assembly
Abuja

Your Excellency,

INVITATION TO BOOK LAUNCH

I wish to formally notify and cordially invite Distinguished Senators to the public presentation of the book "Constitution and Migration Law in Nigeria" written by my cousin and a very senior lawyer, Sebastine Tar Hon, SAN. The book is to be presented to the public today, July 12th, 2016 at the Shehu Musa Yar' Adua Centre, Central Business District, Abuja by 10:00am.

Though this is coming at short notice, I am aware that letters of notification of this event were distributed to Senators before the commencement of our recess.

The Senate President and Distinguished Senators are enjoined.

Do accept Most Distinguished Colleagues the assurances of my highest regards.

(Signed)
Sen. George Akume

(b) ***Acknowledgement:***
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Members of Students Representative Council, Adekunle Ajasin University Students Union, Akungba-Akoko, Ondo State; and

(*ii*) Staff and Students of Liberty Square Academy, Road 111, Gwarinpa, Abuja.

5. Petition:
Rising on Rule 41, Senator Mao A. Ohuabunwa *(Abia North)* drew the attention of the Senate to a petition from his constituent, Lynda Orie Ukpo, over unlawful termination of her appointment by the Federal Road Safety Commission (FRSC). He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

6. Matter of Urgent Public Importance:
Rising on Rules 42 and 52, Senator Tijjani Y. Kaura (*Zamfara North*) drew the attention of the Senate to the demise of Alhaji Umaru Aliyu Shinkafi, Marafan Sokoto on 6th July, 2016 in London Hospital. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate;

notes with a great sense of loss, the demise of Alhaji Umaru Aliyu Shinkafi, Marafan Sokoto on the 6th of July, 2016, at the age of 79;

further notes that Alhaji Umaru Shinkafi was born in Kaura Namoda, Zamfara State on the 19th of January, 1937. Late Shinkafi, attended Sokoto Middle School and later Barewa College, Zaria, the oldest and most famous secondary school in Northern Nigeria. He obtained a degree in Law after his secondary school education, and was called to the Nigerian Bar in 1974;

recalls that Alhaji Umaru Shinkafi joined the Nigerian Police Force in 1959 and voluntarily retired in 1983. From his days in Enugu in 1960 as the "Hausa Inspector" he worked in many other sections of the police;

In 1978 he was redeployed as the Commissioner of Police Oyo State. He was a former Federal Commissioner of Internal Affairs during the regime of General Murtala Ramat Mohammed in 1975. He established and headed the National Security Organization. He was a former Presidential Aspirant of the defunct National Republican Convention in 1992. He contested as Chief Olu Falae's running mate on the All Peoples Party/Alliance for Democracy platform in the 1999 presidential election but lost to the People's Democratic Party ticket of Obasanjo/Atiku;

further recalls that late Alhaji Umaru Shinkafi was the former Chairman of the International Bank for West Africa (later the defunct Afribank Plc and Mainstreet Bank Limited which was acquired by Skye Bank Plc in 2014). He was also the Pro-chancellor of the Sokoto State University. He is survived by three wives and five children. One of his wives, Hajiya Lubabatu, is the daughter of the revered former Premier of the defunct Northern Region of Nigeria Late Sir Ahmadu Bello, the Sardauna of Sokoto, GCFR;

convinced that Late Alhaji Umaru Shinkafi served the nation with distinction as a lawyer, police officer, Federal Commissioner for Internal Affairs and intelligence chief in the National Security Organisation, he was among the frontline politicians who strived for the survival of democracy during the military era and in the Fourth Republic due to the significant role he played during the APP/AD alliance in the 1999 Presidential elections. Marafan Sokoto was a bridge builder between the Northern and the Southern Nigeria throughout the years of his active participation in politics, Marafan Sokoto proved himself to be selfless, patriotic, knowledgeable and very accessible politician, who saw politics as another form of public service. He made immense contributions to Nigerian Politics by infusing its practice with decorum, knowledge, accommodation and a detribalised world view for which this and future generations of Nigerians will forever be grateful;

further convinced that the loss of the Late Marafan Sokoto at this critical time in the life of the nation is no doubt a huge one, but trust that the legacies he left will continue to serve as a reference point for public servants and politicians who strive towards the entrenchment of good governance as well as the peace and unity of Nigeria; and

observes that his death is a monumental loss. He will not only be missed by his family, but also Nigeria as a whole. May his soul rest in perfect peace.

Accordingly resolves:

(*i*) observe one minute silence in honour of Late Alhaji Umaru Aliyu Shinkafi, Marafan Sokoto;

(*ii*) urge the Federal Government, Zamfara, Sokoto and Kebbi State Governments to immortalize the Late Marafan Sokoto.

Debate:

Proposed Resolution (i):
Question: That the Senate do observe one minute silence in honour of Late Alhaji Umaru Aliyu Shinkafi, Marafan Sokoto — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do urge the Federal Government, Zamfara, Sokoto and Kebbi State Governments to immortalize the Late Marafan Sokoto — *Agreed to.*

Resolved:
That the Senate do:

(*i*) observe one minute silence in honour of Late Alhaji Umaru Aliyu Shinkafi, Marafan Sokoto;

(*ii*) urge the Federal Government, Zamfara, Sokoto and Kebbi State Governments to immortalize the Late Marafan Sokoto ***(S/Res/008/02/16)***.

One minute silence accordingly observed in honour of the deceased.

7. Personal Explanation:

Rising on Rule 43, Senator David Umaru *(Niger East)* drew the attention of the Senate to its Resolution of 21st June, 2016 mandating the Committee on Judiciary, Human Rights and Legal Matters to summon Barr. Abubakar Malami, Hon. Minister of Justice and Attorney General of the Federation (AGF) on his role on the imminent threat to Nigerian democracy. He informed the Senate that the Committee, on two occasions summoned the Hon. Minister of Justice and Attorney General of the Federation (AGF), but the invitations were not honoured. On one of the occasion an Aide from the Presidency was sent to the Committee to represent the AGF. While preparing the report for the Senate as mandated, Senator Ita S. J. Enang, Senior Special Assistant to the President on National Assembly Matters, informed the Committee Chairman of the willingness of the AGF to honour the Committee's invitation. Hence the Committee is requesting for extension of time for Barr. Abubakar Malami, Hon. Minister of Justice and Attorney General of the Federation (AGF) to honour the invitation as requested by Senator Ita S. J. Enang.

By the leave of the Senate, request granted, the Committee to report within the week.

8. Privileges:

Rising on Rules 14 and 15, Senator Matthew A. Urhoghide *(Edo South)* drew the attention of the Senate to a publication on page 3 of the Daily Trust Newspaper of 28th June, 2016 in which it was reported that Mr. Babachir David Lawal, Secretary to the Government of the Federation (SGF) said that the Federal Government may find it difficult to fully execute Constituency Projects. He informed the Senate that the Constituency Projects constitute less than 1% of the 2016 Annual Budget, and therefore the assertion by the SGF has not only impugned on his privilege but also threatened the quality of his representation as a Senator of the Federal Republic of Nigeria. He urged the Senate to invite the Secretary to the Government of the Federation (SGF) to appear before it.

By the leave of the Senate, the Joint Committee on Ethics, Privileges and Public Petitions; Appropriations; and Finance were mandated to summon the Secretary to the Government of the Federation (SGF) to appear before it.

9. Presentation of Bills:

(*i*) Federal Entrepreneurship Centres (Establishment, etc.) Bill, 2016 (SB.133) — *Read the First Time.*

(*ii*) Medical and Dental Practitioners Act, CAP M8 LFN 2004 (Amendment) Bill, 2016 (SB.135) — *Read the First Time.*

(*iii*) Corrupt Practice and other Related Offences Act, CAP C31 LFN 2004 (Amendment) Bill, 2016 (SB.145) — *Read the First Time.*

(*iv*) Cassava Flour (Mandatory Inclusion in Flour Production) Bill, 2016 (SB.152) — *Read the First Time.*

(*v*) Environmental Impact Assessment Act, CAP E12 LFN 2004 (Amendment) Bill, 2016 (SB.168) — *Read the First Time.*

10. Committee on Judiciary, Human Rights and Legal Matters:
Report on the Imminent Threat to Nigerian Democracy:

Consideration of Report deferred to the next Legislative Day.

11. Committee on Tertiary Institutions and TETFUND:
Report on the Federal University Wukari, (Establishment, etc.) Bill, 2016 (SB. 273):

Consideration of Report deferred to another Legislative Day.

12. Motions:

(a) Non Payment of Teachers Salaries Across the Country:
Motion made: That the Senate acknowledge that though basic education is a concurrent issue, which squarely lies within the remits of the Local Governments and States, the present condition demands that there is concerted action from the federal to avert a total collapse of the education system in the country;

aware of the ongoing challenges across the country whereby teachers in most States of the Federation are yet to receive salaries in some cases for upwards of 5 months or more;

disturbed that the difficult financial situation that some States of the Federation are having to deal with, due to the severe economic downturn being experienced nationwide;

worried that what we have in our hands with this situation is a national emergency that requires drastic measures to halt the drift;

observe that teachers' welfare is at the heart of the success of the education system;

acknowledge further that the on going suffering of our teachers and students in the public schools can be halted if leaders at all levels rise to the occasion to find solution to this challenge;

recalls that in September, 2015 the Federal Government gave bail out funds to 23 distressed States (Adamawa, Bauchi, Bayelsa, Benue, Cross River, Delta, Enugu, Ekiti, Katsina, Gombe, Imo, Kogi, Nasarawa, Niger, Ondo, Osun, Ogun, Plateau, Sokoto, Kwara, Oyo, Kebbi and Zamfara) with the main intent of settling workers salaries with priority given to school teachers;

worried that the concomitant effect of a nationwide teachers' strike will result in mass exodus of experienced teachers from our public schools to private schools resulting in many more pupils roaming the streets with many falling prey to criminal influences;

observe further there appears to be a close link between the falling standards of education and the funding and management of our public schools by both the Federal and State Governments;

alive to the fact that the cost of this state of affairs cannot be overstated especially with the current levels of our adult literacy rate of 51% and Gross Secondary School participation, net attendance ratio of 54%;

concerned that the nation cannot afford to see any further deterioration of the basic education system as things are not in their best shape already;

mindful that there are several education interventionist funds backed by law that are primarily devoted to capital projects in the education system, these funds could while the emergency exist be deployed to ensure continuity in the education system by prompt payment of teachers' salaries in the form of loans to States and Local Governments;

note that the 2016 budget had made allocation for the employment of more teachers without a clear indication as to the continuity of the program when the current teachers are yet to be paid salaries; and

note that the school feeding, which is another critical program of this administration may suffer still birth with the on going down-tool and the fact that the teachers are expected to be the ones to superintend the program.

Accordingly resolves to;

(*i*) urge the Federal Government to immediately enter into negotiations with the States and come up with and present to the National Assembly an effective and comprehensive intervention scheme to fully address this national emergency for action;

(*ii*) urge the Federal Government to send to the National Assembly a budget supplementary or virements - proposal that would enable the transfer of funds legitimately in order to arrest the growing challenge; and

(*iii*) urge the States to immediately begin the implementation of a priority expenditure scheme that puts the payment of teachers' salaries at the same wrung on public expenditures as security (*Senator Dino Melaye — Kogi West*).

Debate:

Proposed Resolution (i):
Question: That the Senate do urge the Federal Government to immediately enter into negotiations with the States and come up with and present to the National Assembly an effective and comprehensive intervention scheme to fully address this national emergency for action — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do urge the Federal Government to send to the National Assembly a budget supplementary or virements - proposal that would enable the transfer of funds legitimately in order to arrest the growing challenge.

Amendment Proposed:
Leave out the provision on proposed Resolution (ii) and *insert* the following instead thereof:
"Urge the Federal, States and Local Governments to take immediate steps to pay outstanding salary arrears to teachers across the country" (*Senator Ike Ekweremadu — Enugu West*).

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

Proposed Resolution (iii):
Question: That the Senate do urge the States to immediately begin the implementation of a priority expenditure scheme that puts the payment of teachers' salaries at the same wrung on public expenditures as security.

Amendment Proposed:
Leave out the word "States" in line 1, *insert* the words "Federal, States and Local Governments" (*Senator Samuel N. Anyanwu — Imo East*).

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

Resolved:
That the Senate do:

(*i*) urge the Federal Government to immediately enter into negotiations with the States and come up with and present to the National Assembly an effective and comprehensive intervention scheme to fully address this national emergency for action;

(*ii*) urge the Federal, States and Local Governments to take immediate steps to pay outstanding salary arrears to teachers across the country; and

(*iii*) urge the Federal, States and Local Governments to immediately begin the implementation of a priority expenditure scheme that puts the payment of teachers' salaries at the same wrung on public expenditures as security ***(S/Res/009/02/16)***.

(b) ***The urgent need to investigate the Mismanagement of Grants from Global Fund Financial Institution:***

Consideration of Motion deferred to another Legislative Day.

(c) ***State of National Preparedness against Possible Zika Virus Outbreak in Nigeria:***

Consideration of Motion deferred to another Legislative Day.

13. National Open University Act, No. 6 1983 (Amendment) Bill, 2016 (SB. 066):

Consideration of Bill deferred to another Legislative Day.

14. Employee's Compensation Act, 2010 (Amendment) Bill, 2016 (SB. 170):

Consideration of Bill deferred to another Legislative Day.

15. Foreign Exchange (Monitoring and Miscellaneous Provisions) Act, Chapter F34, LFN 2004 (Repeal and Re-enactment) Bill, 2016 (SB.181):

Consideration of Bill deferred to another Legislative Day.

16. Adjournment:
Motion made: That the Senate do now adjourn till Wednesday, 13th July, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:41 *p.m.*

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