



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 17th May, 2017

1. The Senate met at 10:44 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 16th May, 2017.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(a) **Meeting:**

The Senate President read a letter from Senator Abdullahi Adamu (Nasarawa West) as follows:



NORTHERN SENATORS' FORUM

17th May, 2017

*His Excellency,
The President of the Senate,
National Assembly,
Abuja.*

NOTICE OF MEETING

This is to inform members of the Northern Senators' Forum that the meeting of its members shall take place as scheduled hereunder:

Date: Thursday, 18th May, 2017.
Venue: Conference Room 231, 2nd Floor, New Senate Wing
Time: 2pm prompt (Immediately after Plenary)

*Yours faithfully,
(Signed)
Chairman
Senator Abdullahi Adamu*

(b) *Appreciation:*

The Senate President read a letter from Senator Dino Melaye (Kogi West) as follows:



Senator Dino Melaye

KOGI WEST SENATORIAL DISTRICT
Chairman Senate Committee on Federal Capital Territory

17th May, 2017

His Excellency,
Distinguished Senator Abubakar Bukola Saraki, CON
President of the Senate,
National Assembly Complex,
Abuja.

Distinguished Senators,

LETTER OF APPRECIATION

I write to express my profound gratitude to your Excellency and my Distinguished Colleagues for honouring my invitation to the Official Public Presentation and Launching of my Book, *Antidotes for Corruption - The Nigerian Story*.

It is my most sincere duty to appreciate my Boss, the President of the Senate, for his invaluable encouragement and inputs, for making the event a reality.

It is also indeed my pleasure to express my appreciation to my dear colleagues, Distinguished Senators of the Federal Republic of Nigeria, for their overwhelming presence and support. Those that could not make it expressed their solidarity and goodwill towards the success of the event.

This is a quick note to let you know that you all deserve my greatest thanks.

Thank you.

Yours Sincerely,

(Signed)

Senator Dino Melaye

(c) *Conference Committee:*

The Senate President named the following Senators as Conferees on Environmental Managers Registration Council of Nigeria Bill, 2017:

(i)	Senator Emmanuel I. Paulker	—	Chairman
(ii)	Senator Suleiman M. Nazif	—	Member
(iii)	Senator Bareehu O. Ashafa	—	Member
(iv)	Senator Nelson A. Efiog	—	Member
(v)	Senator George Akume	—	Member
(vi)	Senator Ahmad I. Lawan	—	Member

(d) *Acknowledgment:*

The Senate President acknowledged the presence of the Members of ECOWAS Parliament, International Conference Centre, Abuja who were in the gallery to observe Senate Proceedings.

4. Petitions:

(i) Rising on Rule 41, Senator Andy E. Uba (*Anambra South*) drew the attention of the Senate to two (2) petitions from his constituents:

(a) Miss Monica Okafor, over wrongful termination of appointment by the National Biotechnology Development Agency, Abuja; and

(b) Mrs Okoli S. Uchenna, over indefinite suspension by the Nnamdi Azikiwe Teaching Hospital, Nnewi, Anambra State.

He urged the Senate to look into the matters.

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

(ii) Rising on Rule 41, Senator Theodore A. Orji (*Abia Central*) drew the attention of the Senate to a petition from his constituent, Inspector Ejike Enyinnaya, over prolonged suspension by the Nigeria Police. 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.

5. Personal Explanation:

Rising on Rules 43, 46 and 77 Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to non-compliance of the Committee on Rules and Business on the issuance of Notice Paper on daily basis. This medium is used to guide the Senators on the Bills and Motions to be presented in the Order Paper. He stated that the weekly and monthly Notice Paper issuance be sustained by the Committee on Rules and Business to serve as a guide to Senators on Bills and Motions to be presented on the Order Paper.

The Senate notes his observations.

6. Personal Explanation:

Rising on Rule 43, Senator Dino Melaye (*Kogi West*) drew the attention of the Senate to the recent appointment of the Director-General of the National Lottery Commission by the President, Commander-in-Chief of the Armed Forces of the Federation, without recourse to the Senate for confirmation as required by Section 8(1) of the National Lottery Act. He described the act as a direct attack on the Principle of Separation of Powers which should be condemned in its entirety. He urged the Senate to investigate the matter and caution the Executive to desist from violating the rule of law.

The Senate mandated the Senate Leader to investigate the matter.

7. Personal Explanation:

Rising on Rule 43, Senator Albert B. Akpan (*Akwa Ibom North-East*) drew the attention of the Senate to complaints from the general public on the Seven Hundred Kilometers by forty inches gas pipeline from Ajaokuta-Abuja-Kaduna-Kano estimated at \$3 billion to be financed by Public Private Partnership (PPP). He further explained that the Joint Committee on Gas; Downstream Petroleum Sector; Upstream Petroleum Resources is committed to ensuring that the right thing is done at the appropriate cost and within due process. He therefore, solicited the patience of the Senate and that of the general public to enable the Committee conclude its work on the matter.

8. Conference Committee:

Report on the Electronic Transactions Bill, 2017 (SB.15):

Motion made: That the Senate do receive the Report of the Conference Committee on Electronic Transaction Bill, 2017 (*Senator Buhari Abdulfatai — Oyo North*).

Question put and agreed to.

Report Laid.

9. Motion:

Non-Submission of 2017 Budget by Public Corporations in violation of the Fiscal Responsibility Act:

Motion made: The Senate is worried about the non-submission of the 2017 Budget proposal by Statutory Corporations to the National Assembly;

notes that section 21(1)(2) and (3) of the Fiscal Responsibility Act stipulates that:

- (1) *The Government Corporations and Agencies and government owned companies listed in the Schedule to this Act (in this Act referred to as "the Corporations") shall, not later than 6 months from the commencement of this Act and for every three financial years thereafter and not later than the end of the second quarter of every year, cause to be prepared and submitted to the Minister their Schedule estimates of revenue and expenditure for the next three financial years.*
- (2) *Each of the bodies referred to in subsection (1) of this section shall submit to the Minister not later than the end of August in each financial year:*
- (a) *an annual budget derived from the estimates submitted in pursuance of subsection (1) of this section; and*
- (b) *projected operating surplus which shall be prepared in line with acceptable accounting practices.*
- (3) *The Minister shall cause the estimates submitted in pursuance of subsection (2) of this section to be attached as part of the draft Appropriation Bill to be submitted to the National Assembly"*

observes that non-compliance to the provisions of the Fiscal Responsibility Act constitutes abuse of power and economic sabotage aimed at frustrating the current economic measures being taken by the present administration to address the economic recession;

aware that the absence of penalties in the provisions of the Fiscal Responsibility Act may have emboldened and encouraged the perpetration of this act; and

concerned that the Fiscal Responsibility Commission is failing in its responsibility through complacency in the execution of its mandate.

Accordingly resolves to:

- (i) *urge the Ministers of the concerned Agencies to as a matter of urgency submit their Budget to the National Assembly in accordance with the provision of section 21 of the Fiscal Responsibility Act; and*
- (ii) *call on the Committee on Finance to ensure compliance (Senator Bala Ibn Na'Allah — Kebbi South).*

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Ministers of the concerned Agencies to as a matter of urgency submit their Budget to the National Assembly in accordance with the provision of section 21 of the Fiscal Responsibility Act.

Amendment Proposed:

Leave out Proposed Resolution (i) and insert the following instead thereof:

"That the Senate do urge Mr President, Commander-in-Chief of the Armed Forces of the Federation to as a matter of urgency submit all concerned Parastatals and Agencies 2017 Budget to the National Assembly in accordance with the provision of Section 21 of the Fiscal Responsibility Act, and the Constitution not later than two (2) weeks" (*Senator Ike Ekweremadu — Enugu West*).

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

Proposed Resolution (ii):

Question: That the Senate do call on the Committee on Finance to ensure compliance — *Negated*.

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

"That the Senate do urge all the Agencies and Parastatals concerned to stop further expenditure on their Capital Estimate for the current year until they comply with Section 21 of the Fiscal Responsibility Act, and Section 80 of the 1999 Constitution (As amended)" (*Senator Ike Ekweremadu — Enugu West*).

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

Resolved:

That the Senate do:

- (i) urge Mr President, Commander-in-Chief of the Armed Forces of the Federation to as a matter of urgency submit all concerned Parastatals and Agencies 2017 Budget to the National Assembly in accordance with the provision of Section 21 of the Fiscal Responsibility Act, and the Constitution not later than two (2) weeks; and
 - (ii) urge all the Agencies and Parastatals concerned to stop further expenditure on their Capital Estimate for the current year until they comply with Section 21 of the Fiscal Responsibility Act, and Section 80 of the 1999 Constitution (As amended) (*S/Res/175/02/17*).
10. **National Youth Service Corps Act CAP N84 LFN 2004 (Amendment) Bill, 2017 (SB.147):**
Motion made: That a Bill for an Act to Amend the National Youth Service Corps Act CAP N84 LFN 2004 to provide for Free and Compulsory Acquisition of Vocational Skills by Corps Members and for such Related Matters, 2017 be read the Second Time (*Senator Stella A. Oduah — Anambra North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on the Review of the 1999 Constitution.

11. **Federal Entrepreneurship Centres (Establishment, etc.) Bill, 2017 (SB.133):**

Motion made: That a Bill for an Act to provide for the Establishment of Federal Entrepreneurship Centres at Local Government Areas and for Other Matters Connected Thereto, 2017 be read the Second Time (*Senator Mao A. Oluabunwa — Abia North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Industries; and States and Local Governments to report within Four (4) weeks.

12. Proceeds of Crimes Bill, 2017 (SB.376):

Motion made: That a Bill for an Act to make comprehensive provisions for the Confiscation, Forfeiture and Management of Properties derived from unlawful activities and for Connected Matters, 2017 be read the Second Time (*Senator Mohammed Hassan — Yobe South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Judiciary, Human Rights and Legal Matters; and Anti-Corruption and Financial Crimes to report within Four (4) weeks.

13. Nigeria Social Insurance Trust Fund Act CAP N88 LFN 2004 (Amendment) Bill, 2017 (SB.195):

Consideration of Bill deferred to another Legislative Day.

14. Chartered Polymer Institute of Nigeria (Establishment, etc.) Bill, 2017 (SB.396):

Motion made: That a Bill for an Act to provide for the establishment of the Chartered Polymer Institute of Nigeria and for Other Matters Connected Thereto, 2017 be read the Second Time (*Senator Chukwuka G. Utazi — Enugu North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Establishment and Public Service to report within Four (4) weeks.

15. Nigerian Assets Management Agency (Establishment, etc.) Bill, 2017 (SB.285):

Motion made: That a Bill for an Act to Establish the Nigerian Assets Management Agency and for Matters Connected Therewith, 2017 be read the Second Time (*Senator Mustapha Bukar — Katsina North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Judiciary, Human Rights and Legal Matters; and Anti-Corruption and Financial Crimes to report within Four (4) weeks.

16. National Institute of Credit Administration (Establishment, etc.) Bill, 2017 (SB.153):

Consideration of Bill deferred to another Legislative Day.

17. National Fertilizer Quality Control Bill, 2017 (SB.338):

Consideration of Bill deferred to another Legislative Day.

18. National Directorate of Employment Act CAP 28 LFN 2004 (Repeal and Re-enactment) Bill, 2017 (SB. 144):

Consideration of Bill deferred to another Legislative Day.

19. Social Safety Nets Service Bill, 2017 (SB.371):

Consideration of Bill deferred to another Legislative Day.

20. Adjournment:

Motion made: That the Senate do now adjourn till Thursday, 18th May, 2017 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:29 p.m.

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

