SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 2nd November, 2016

1. The Senate met at 10:24 a.m. The Senate President read Prayers.

2. **Closed Session:**
Closed Session — 10:25 a.m.

Open Session — 10:55 a.m.

The Senate President reported that the Senate in a Closed Session deliberated on issues bordering 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 Tuesday, 1st November, 2016.

Question was put and the Votes and Proceedings were approved.

4. **Announcements:**

(a) ***Conference Committee:***
The Senate President named the following Senators as Conferees on the North East Development Commission Bill, 2016:

(i)	Senator Mohammed A. Ndume	—	Chairman
(ii)	Senator Abdul'Aziz M. Nyako	—	Member
(iii)	Senator Samuel O. Egwu	—	Member
(iv)	Senator Adamu M. Aliero	—	Member
(v)	Senator Abdullahi A. Sabi	—	Member
(vi)	Senator Oluremi S. Tinubu	—	Member

(b) ***Conference Committee:***
The Senate President named the following Senators as Conferees on the National Lottery Act 2005 (Amendment) Bill, 2016:

(i)	Senator Obinna J. Ogba	—	Chairman
(ii)	Senator Duro S. Faseyi	—	Member
(iii)	Senator Foster Ogola	—	Member
(iv)	Senator Dino Melaye	—	Member
(v)	Senator Danjuma Laah	—	Member
(vi)	Senator Joshua M. Lidani	—	Member

(c) ***Conference Committee:***

The Senate President named the following Senators as Conferees on the National Assembly Budget and Research Office (Establishment, etc.) Bill, 2016:

(i)	Senator Emmanuel I. Paulker	—	Chairman
(ii)	Senator John O. Enoh	—	Member
(iii)	Senator Enyinnaya H. Abaribe	—	Member
(iv)	Senator Yahaya A. Abdullahi	—	Member
(v)	Senator Suleiman M. Nazif	—	Member
(vi)	Senator Babajide C. Omoworare	—	Member

(d) ***Conference Committee:***

The Senate President named the following Senators as Conferees on the Code of Conduct Bureau and Tribunal Act Cap. C15 LFN 2004 (Amendment) Bill, 2016:

(i)	Senator Samuel N. Anyanwu	—	Chairman
(ii)	Senator Monsurat J. A. Sunmonu	—	Member
(iii)	Senator Peter O. Nwaoboshi	—	Member
(iv)	Senator Jibrin I. Barau	—	Member
(v)	Senator Yusuf A. Yusuf	—	Member
(vi)	Senator Suleiman A. Adokwe	—	Member

(e) ***Appreciation:***

The Senate President read a letter from Senator Kabiru I. Gaya (*Kano South*) as follows:

SEN. DR. (ARC) KABIRU I. GAYA
Kano South Senatorial District
Chairman, Senate Committee on Works

NASS/S/COW/021/15 *1st November, 2016*

Dr. Abubakar B. Saraki,
The President of the Senate,
National Assembly Complex,
Abuja.

My President,

LETTER OF APPRECIATION

I would like to express my profound gratitude to you my Boss, for the role you played in my emergence as the Vice President of the Inter Parliamentary Union, African Group which took place recently in Geneva, Switzerlend.

It is a known fact that you go over and above the norm in encouraging people around you to be the best they can be and excel in their endeavors.

My sincere appreciation also goes to the leadership of the National Assembly and my Distinguished Colleagues who were very supportive in ensuring I got this coveted position.

Indeed, it is a demonstration of the confidence reposed in the National Assembly and the nation as a whole.

The Parliament as a body is not ignorant of the numerous challenges that come with this position but we are confident that we can tackle the challenges with dedication and competent professionalism which will ultimately result in a better Inter Parliamentary Union, African Group.

I thank you once again for this opportunity.
(Signed)
Senator Kabiru Gaya
Vice President
Inter-Parliamentary Union, African Group

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

(*i*) Staff and Students of ECWA Academy, Wuse II, Abuja; and

(*ii*) Staff and Students of Divine Mercy Primary and Secondary School, Asokoro, Abuja.

5. Petitions:

(*i*) Rising on Rule 41, Senator Dino Melaye *(Kogi West)* drew the attention of the Senate to a petition from his constituent, Ewoh Chuks C., over unlawful retirement by the Central Bank of Nigeria (CBN). 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.

(*ii*) Rising on Rule 41, Senator Gershom O. H. Bassey *(Cross River South)* drew the attention of the Senate to three petitions from:

(a) Oswtr Usen E. E. Over wrongful dismissal by the Nigerian Navy;

(b) P. C. Onang Inamang, on the appeal for reinstatement by the Nigeria Police; and

(c) Effiom E. Effiom, over unlawful termination of appointment by the Bureau of Public Procurement (BPP).

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.

(*iii*) Rising on Rule 41, Senator Chukwuka G. Utazi *(Enugu North)* drew the attention of the Senate to a petition from Godwin Diugwu and Associates on behalf of his constituent, Mr. Eze Oliver over unlawful dismissal by the Nigerian Army. 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. Personal Explanation:

Rising on Rule 43, Senator Ahmed S. Ogembe *(Kogi Central)* drew the attention of the Senate to the demise of Senator Salihu U. Ohize on Sunday, 30th October, 2016, who was in the Sixth Senate from 2007 - 2011, representing Kogi Central Senatorial District. He was a patriotic Nigerian, a grass-root politician, former State Party Secretary of the Peoples Democratic Party (PDP), Kogi State and a two-term Chairman of Okene Local Government Area of Kogi State. He also served in the Committees on Sports; Police Affairs; Interior; Information and Media; Housing; and Agriculture. He urged the Senate to observe a minute silence in his honour and also send a delegation to commiserate with the family, people and Government of Kogi State.

One minute silence accordingly observed in honour of the deceased.

7. **Personal Explanation:**
Rising on Rule 43, Senator Yusuf A. Yusuf *(Taraba Central)* drew the attention of the Senate to the demise of His Royal Highness, Alhaji Dr. Hamman Gabdo Muhammadu Sambo (MFR) the Lamido of Gashakar on 22nd October, 2016 at the age of eighty (80). He was a towering community figure, an astute politician, philanthropist, selfless and humanitarian per excellence, who will be greatly missed for his humility. He urged the Senate to observe a minute silence in his honour and also send a delegation to commiserate with the family, people and Government of Taraba State.

One minute silence accordingly observed in honour of the deceased.

8. **Matter of Urgent Public Importance:**
Rising on Rules 42 and 52, Senator Ike Ekweremadu (*Enugu West*) drew the attention of the Senate to the non-conduct of elections in Rivers State. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

observes that in spite of her Resolution S/Res/016/02/16 of 27th day of September, 2016 calling on the Independent National Electoral Commission (INEC) to immediately conclude all pending re-run elections in the country, INEC has failed, refused and or neglected to conduct re-run elections in Rivers State into the Senate, House of Representatives and State House of Assembly;

also observes further that the failure of INEC to conduct the re-run elections in Rivers State within the time frame ordered by the respective Election Petition Tribunals/Courts is in breach of the Electoral Act and Section 76 of the 1999 Constitution, thus endangering the nation's democracy;

further observes that non representation of the entire people of Rivers State in the Senate and some constituencies of Rivers State in the House of Representatives and State House of Assembly is in breach of Section 14 (2) (c) of the 1999 Constitution, and endangers peace and order in the State;

further observes that failure of INEC to conduct election in Rivers State has continued to deny the people of Rivers State their constitutionally guaranteed rights to be represented in the legislative houses where laws affecting them are being made, and has engendered palpable anxiety amongst people of the State;

aware that INEC had successfully conducted elections in the North East of Nigeria, especially in the areas around Sambisa forest in spite of the area having been acknowledged worldwide to be ravaged by terrorist activities;

also aware that INEC recently conducted successful elections in Edo State even after security advice from Police and Department of Security Services (DSS) forced a rescheduling of the election date; and

further aware that elections were held in Bayelsa State in spite of government acknowledged threat of militant activities that necessitated provision of additional security personnel in the State for the elections.

Do hereby resolve to:
call on the Independent National Electoral Commission (INEC) to conduct all outstanding elections in Rivers State not later than 10th December, 2016, failing which the Senate will suspend Plenary till such a time the said elections are held.

Debate:

Proposed Resolution:
Question: That the Senate do call on the Independent National Electoral Commission (INEC) to conduct all outstanding elections in Rivers State not later than 10th December, 2016, failing which the Senate will suspend Plenary till such a time the said elections are held — *Agreed to.*

Additional Proposed Resolution:
Insert Additional Proposed Resolution as follows:
"Urge the Federal Government to urgently appoint a Minister from Kogi State" (*Senator Dino Melaye — Kogi West*).

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

Resolved:
That the Senate do:

(*i*) call on the Independent National Electoral Commission (INEC) to conduct all outstanding elections in Rivers State not later than 10th December, 2016, failing which the Senate will suspend Plenary till such a time the said elections are held; and

(*ii*) urge the Federal Government to urgently appoint a Minister from Kogi State ***(S/Res/040/02/16)***.

9. Committee on Independent National Electoral Commission (INEC):
Report on the Independent National Electoral Commission (INEC) Act 2010 (Amendment) Bill, 2016. (SB. 231 and SB. 234):
Motion made: That the Senate do consider the Report of the Committee on the Independent National Electoral Commission on the Independent National Electoral Commission (INEC) Act 2010 (Amendment) Bill, 2016 (*Senator Abubakar Kyari — Borno North*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE ELECTORAL ACT NO. 6, 2010 AND FOR OTHER RELATED MATTERS.

Clause 1: The Electoral Act No. 6 of 2010 (in this Bill, referred to as "the Principal Act") is further amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Abubakar Kyari — Borno North*) — *Agreed to.*

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

Clause 2: **Amendment of Section 8.**
Section 8 of the Principal Act is amended by inserting after subsection (4), a new subsection "(5)", as follows:—
"A person, who being a member of a political party, misrepresents himself by not disclosing his membership, affiliation, or connection to any political party in order to secure an appointment with the Commission in any capacity, commits an offence and shall be liable, on conviction, to imprisonment for at least five (5) years or a fine of at least ₦5,000,000, or both."

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Abubakar Kyari — Borno North*) — *Agreed to.*

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

Clause 3: **Amendment of Section 9.**
Section 9 of the Principal Act is amended by —
(a) inserting, after subsection (1), a new subsection "(1A)" —
"(1A) The Commission shall keep the Register of Voters as the National Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time:—

PROVIDED that the Commission shall keep the Register of Voters in —
(a) electronic format in its central database; and

(b) manual, printed, paper-based record or hard copy format."; and

(c) in subsection (5) in line 2, by substituting for the figure "30", the figure "60".

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Abubakar Kyari — Borno North*) — *Agreed to.*

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

Clause 4: **Amendment of Section 15.**
Section 15 of the Principal Act is amended by inserting after the word "printed" in line 1, the expression "or reproduced, copied, duplicated or saved in an electronic format".

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Abubakar Kyari — Borno North*) — *Agreed to.*

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

Clause 5: **Amendment of Section 19.**
Section 19 of the Principal Act is amended by:—
(a) substituting for subsection (1), a new subsection "(1)", as follows:—

"(1) Subject to the provisions of section 9(5) of this Act, the Commission shall, not later than 30 days to a general election, appoint a period of 7 days during which a copy of the voters' register for each Local Government, Area Council or Ward shall be displayed or published for public scrutiny at every Registration Area and on its official website or any website established by the Commission for that purpose.";

(b) inserting, after subsection (1), a new subsection "(1A)" -

"(1A) Upon displaying or publishing the voters register in accordance with this section, the Commission shall accept and consider objections and complaints in relation to the names omitted or included in the voters' register or in relation to any necessary correction, within 14 days of publishing the voters register in accordance with this section."; and

(c) inserting after subsection (3), a new subsection "(4)", as follows:

"(4) Failure to display or publish the voters' register as provided under subsection (1) of this section shall constitute an offence for which any official or staff of the Commission responsible for such default shall be guilty and liable, on conviction, to imprisonment for a term of 6 months or a fine of ₦100,000."(*Senator Abubakar Kyari — Borno North*).

Amendment Proposed:
Immediately after the figure "₦100,000" *insert* the words "or both" (*Senator Umar I. Kurfi — Katsina Central).*

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

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

Further consideration of the Bill deferred to another Legislative Day.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Independent National Electoral Commission on the Independent National Electoral Commission (INEC) Act 2010 (Amendment) Bill, 2016 and approved as follows:

Clauses 1- 4	—	As Recommended
Clause 5	—	As Amended

Further consideration of the Bill deferred to another Legislative Day.

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

10. **Petroleum Industry Governance Bill, 2016 (SB. 237):**
Motion made: That a Bill for an Act to provide for the Governance and Institutional Framework for the Petroleum Industry and for Other Related Matters, 2016 be read the Second Time (*Senator Donald O. Alasoadura — Ondo Central*).

Debate:

Question put and agreed to.

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

11. **Nigerian Customs Service Management Act 2004 (Repeal and Re-enactment) Bill, 2016 (SB. 246):**

Consideration of Bill deferred to another Legislative Day.

12. **Nigerian Customs Service Management Act 2004 (Repeal and Re-enactment) Bill, 2016 (SB.247):**

Consideration of Bill deferred to another Legislative Day.

13. **Legal Framework for Credit Bureau Services Bill, 2016 (SB. 205):**

Consideration of Bill deferred to another Legislative Day.

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

Consideration of Bill deferred to another Legislative Day.

15. **Nigeria Postal Services Act CAP N.127 LFN, 2004, (Repeal and Re-enactment) Bill, 2016 (SB.106):**

Consideration of Bill deferred to another Legislative Day.

16. **Grazing Areas Management Agency (Establishment, etc.) Bill, 2016 (SB. 292):**

Consideration of Bill deferred to another Legislative Day.

17. **National Ranches Commission (Establishment, etc.) Bill, 2016 (SB. 293):**

Consideration of Bill deferred to another Legislative Day.

18. **Cattle Movement (Control) Bill, 2016 (SB. 311):**

Consideration of Bill deferred to another Legislative Day.

19. **Institute of Chartered Biochemist and Molecular Biologist (Establishment, etc.) Bill, 2016 (SB.283):**

Consideration of Bill deferred to another Legislative Day.

20. **National Payment System Bill, 2016 (SB. 005):**

Consideration of Bill deferred to another Legislative Day.

21. **Small Claims Courts Bill, 2016 (SB. 44):**

Consideration of Bill deferred to another Legislative Day.

22. **Adjournment:**
Motion made: That the Senate do now adjourn till Thursday, 3rd November, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:35 *p.m.*

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