SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 8th June, 2016

1. The Senate met at 10:51 a.m. The Senate President read Prayers.

2. **Closed Session:**
Closed Session — 10:52 a.m.

Open Session — 11:37 a.m.

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

3. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 7th June, 2016.

Question was put and the Votes and Proceedings were approved.

4. **Announcements:**
(a) ***Peoples Democratic Party (PDP) Caucus:***
The Senate President read a letter from Senator Philip T. Aduda (*FCT*) as follows:

Philip Tanimu Aduda
Federal Republic of Nigeria

8th June, 2016

NOTICE OF MEETING

There will be a meeting of the Peoples Democratic Party (PDP) Caucus of the Senate and House of Representatives with the Caretaker Committee of the Peoples Democratic Party (PDP) today, at 3:00 p.m. in Room 022 (Senate New Wing).

(Signed)
Senator Philip T. Aduda
Senate Minority Whip

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(b) ***South-West Caucus:***
The Senate President read a letter from Senator Olusola Adeyeye (*Osun Central*) as follows:

SOUTH-WEST SENATORS' CAUCUS

ANNOUNCEMENT

The South-West Senators' Caucus meets in Suite 4.23, the office of the Chief Whip at 3.00 p.m.

(Signed)
Senator Olusola Adeyeye

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

(*i*) Members of South-South Student Assembly, University of Abuja, Gwagwalada, Abuja;

(*ii*) Staff and Students of Lakeland School, Warri, Delta State; and

(*iii*) Staff and Students of Premiere Academy, Lugbe, Abuja.

5. Petitions:

(*i*) Rising on Rule 41, Senator Aliyu A. Sabi *(Niger North)* drew the attention of the Senate to a petition from Alh. Abdullahi Boyi on behalf of eleven others, over revocation of plots of land at Kurudu, Abuja by Federal Capital Territory Administration (FCTA). 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 Oluremi S. Tinubu *(Lagos Central)* drew the attention of the Senate to a petition from Mr. Ayodele Edwards against Treasure House Montessori School, Asokoro, Abuja and Mr. Paul Okpala (Teacher) for complicity in the rape of an eight year old child with special needs in the school premises. 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.

(*iii*) Rising on Rule 41, Senator Mao A. Ohuabunwa *(Abia North)* drew the attention of the Senate to a petition from L. A. Idu, Esq. on behalf of Mr. Abdulrahman Lamina, over refusal of Commodore Abimbola O. Ayuba to vacate his property. 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.

(*iv*) Rising on Rule 41, Senator Theodore A. Orji *(Abia Central)* drew the attention of the Senate to a petition from Mr. Hyacinth Ahuruonye, over his wrongful dismissal from Service of the Nigeria Police Force. 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.

(*v*) Rising on Rule 41, Senator Olanrewaju A. Tejuoso *(Ogun Central)* drew the attention of the Senate to a petition from Lekan Alabi, Esq. on behalf of his client, Mr. Aina Isiaka Babalola, over his unlawful termination of appointment by the Federal Housing Authority. 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.

(*vi*) Rising on Rule 41, Senator Adesoji R. Akanbi *(Oyo South)* drew the attention of the Senate to a petition from Aggrieved Pensioners of Union Bank of Nigeria Plc. Nationwide, over non payment of their entitlements. 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 Buhari Abdulfatai *(Oyo North)* drew the attention of the Senate to the referral on "Constituencies Development Catalyst Fund (Establishment, etc.) Bill, 2016 (SB. 103)" to the Committee on Finance. He sought the leave of the Senate to reconsider and refer the Bill to the Committee on Poverty Alleviation and Social Welfare.

Bill accordingly referred to the Committee on Poverty Alleviation and Social Welfare to report within Four (4) weeks.

7. Personal Explanation:

Rising on Rule 43, Senator Rafiu A. Ibrahim *(Kwara South)* drew the attention of the Senate to the threats by the Minister of Labour and Employment to revoke licences of banks that retrench their workers. The Committee on Banking, Insurance and Other Financial Institutions intends to invite the Hon. Minister of Labour and Employment; and the Governor of the Central Bank of Nigeria to establish the basis of the bank's licence withdrawal.

8. Presentation of Bill:

Federal University of Petroleum Resources, Effurun Bill, 2016 (HB. 381) — *Read the First Time.*

9. Petroleum Industry Governance Bill, 2016 (SB. 237):

Consideration of Bill deferred to another Legislative Day.

10. Postgraduate Physiotherapy College of Nigeria (Establishment, etc.) Bill, 2016 (SB. 204):

Motion made: That a Bill for an Act to establish Postgraduate Physiotherapy College of Nigeria to be charged with the responsibility of promoting professional physiotherapy education, providing specialist in physiotherapy with critical thinking and creative problem solving skills, and prepare knowledge, skilled, culturally competent, compassionate and reflective physiotherapy practitioners in the study and practice of physiotherapy in Nigeria and for related matters, 2016 be read the Second Time (*Senator Samuel N. Anyanwu — Imo East*).

Debate:

Question put and agreed to.

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

11. Maritime University of Nigeria (Establishment, etc.) Bill, 2016 (SB.295):
Motion made: That a Bill for an Act to establish the Maritime University of Nigeria, Okerenkoko and for other matters connected thereto, 2016 be read the Second Time (*Senator James E. Manager — Delta South*).

Debate:

By leave of the Senate Bill withdrawn (Rule 89).

12. Committee on Agriculture and Rural Development:
Report on the Nigeria Institute of Soil Science (Establishment, etc.) Bill, 2016 (SB. 126):
Motion made: That the Senate do consider the Report of the Committee on Agriculture and Rural Development on the Nigeria Institute of Soil Science (Establishment, etc.) Bill, 2016 (*Senator Abdullahi Adamu — Nasarawa West*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIA INSTITUTE OF SOIL SCIENCE (ESTABLISHMENT, ETC.) AND FOR OTHER RELATED MATTERS BILL, 2016

PART I - ESTABLISHMENT AND FUNCTIONS OF INSTITUTE

Clause 1: Establishment of Institute and Incorporation

(1) There is established for the profession of Soil Science, an Institute to be known as the Nigeria Institute of Soil Science (in this Bill referred to as "Institute").

(2) The Institute shall be a body corporate with perpetual succession and a common seal and shall sue and be sued in its corporate name and shall have power to own, hold and dispose of property whether movable or immovable.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 2: Functions of the Institute

The functions of the Institute are to —

(a) advice on the standards of academic qualification and practical skills to be attained by persons seeking to become registered as Members, Associates or Fellows of the Institute, as the case may be;

Amendment Proposed:
Leave out the words "advice on" in line 1, and *insert* the words "Prescribe and regulate" instead thereof (*Senator Ike Ekweremadu — Enugu West*).

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

(b) regulate the practice of the profession for Soil Scientists;

(c) establish, update and maintain a register of Soil Science Practitioners under this Bill according to their various ranks and to regulate the prerogatives and privileges pertaining to those ranks;

(d) ensure that Soil Science Practitioners in Nigeria uphold the ethics of the profession and guarantee the sustainability of high quality soil;

(e) advance the education, science, technology and art of Soil Science and Crop production in collaboration with zonal coordinating Research Institutes;

(f) promote rapid sustainability of high quality soil through scientific methods, and regulate all issues pertaining to soil management in Nigeria;

(g) advise and encourage the enactment and the enforcement of laws that will guarantee efficient production and consistent supply of high quality food to Nigerians;

(h) educate the public on Soil Science activities; and

(i) co-operate or affiliate with any relevant association and Soil Science either locally or internationally (*Senator Abdullahi Adamu — Nassarawa West*).

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

Clause 3: Powers of the Institute
The Institute shall have power to —

(a) establish and promote Soil and fertilizer testing facilities to support farmers on efficient fertilizer use;

(b) establish such offices, departments, units and branches of the Institute as may be required for the proper administration and operation of the Institute;

(c) subject to such terms and conditions as the Institute may approve, engage staff, agents and other workers as the Institute may from time to time require for the performance of its functions under this Act;

(d) establish necessary organization for the proper and efficient conduct of the affairs of the Institute;

(e) provide staff regulations for all staff of the Institute and provide pension and welfare schemes for the staff; and

(f) do such other acts and things as may be necessary for the performance of the functions of the Institute.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 4: Establishment of the Council

(1) There shall be established for the Institute a Governing Council to be known as the Council of the Nigeria Institute of Soil Science (in this Act referred to as the "Council").

(2) The Council shall consist of —

(a) the President;

(b) the Vice President

(c) the Registrar; and

(d) five representatives who shall be elected by the Soil Science Society of Nigeria to the Institute,

(e) One representative from the Institute of Agricultural Research and Training (IAR and T);

(f) The Minister of Agriculture or his representative;

(g) The Minister of Education or his representative;

(h) The Minister of Environment or his representative;

(i) The Minister of Science and Technology or his representative;

(j) One representative to be nominated by Agro-allied division of Manufacturers Association of Nigeria (MAN)

Amendment Proposed:
Leave out the provision in Clause 4(2)(j) and *insert* the following instead thereof:
"(j) One representative of the Nigerian Chamber of Commerce, Industry, Mines and Agriculture to be elected by the Chamber" (*Senator Mao A. Ohuabunwa — Abia North).*

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

(k) One person to be elected by the Institute to represent agro-allied industries;

Amendment Proposed:
Leave out the provision in Clause 4(2)(k) and *insert* the following instead thereof:
"(k) One representative to be nominated by Agro-allied division of Manufacturers Association of Nigeria (MAN)" (*Senator Babajide C. Omoworare — Osun East).*

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

(l) Immediate Past-President of the Society (Ex-officio) (*Senator Abdullahi Adamu — Nassarawa West*).

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

Clause 5: Election of members of Council

the President, the Vice-President and other members of the Council mentioned in paragraphs (c), and (d) of subsection (2) of section 4 of this Bill, shall be elected by the Soil Science Society of Nigeria from amongst the Members, at an annual general meeting of Soil Science Society of Nigeria.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 6: Tenure of office

(1) The term of office of a member of the Council other than an ex-officio member shall be three years but such member shall at the end of that term be eligible for re-election, for one more term only.

(2) The office of a member of the Council shall become vacant if the member —

(a) resigns his office, by a written notice to the Council;

(b) is removed from office by the Council, by reason of his professional misconduct or physical or mental infirmity; or;

(c) without leave of the Council, absents himself from 3 consecutive meetings of the Council;

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 7: The functions of the Council

The functions of the Council shall be to —

(a) carry into effect the functions and powers of the Institute;

(b) govern the affairs of the Institute;

(c) effect proper management of the Institute; and

(d) Undertake other activitiesas the Council may consider necessary for carrying out the functions and powers of the Institute;

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 8: **Funds**

The funds of the Institute shall consist of —

(a) contributions, levies, subscriptions, fees and other dues paid by the Members:

(b) revenue accruing to the Institute from its investments, activities and services;

(c) grants, endowments and donations from Governments, agencies, organizations, benefactors and other donors;

(d) revenue accruing to the Institute from any other source approved by the Council:

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 9: **Bank Account**

The funds of the Institute shall be paid into an account in a reputable bank approved by the Council and no instrument for the withdrawal of any money from that account shall be valid unless it is authenticated by the signatures of the President and the Registrar or by the signatures of such officers of the Institute as may from time to time be approved by the Council.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 10: The Institute may from time to time subject to such terms and conditions as the Council may approve, invest any part of its funds in any securities and may at any time dispose of such securities.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 11: **Investment**

The Institute may from time to time, subject to such terms and conditions as the Council may approve, borrow such money as the Council may require for carrying out any of the functions of the power of the Institute.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 12: Borrowing Power

(1) The Institute shall keep and maintain proper accounts of its income and expenditure and shall by the 30th day of September of each year submit such accounts to be audited by any auditor approved by the Accountant-General of the Federation.

Accounts of the Institute

(2) The audited accounts of the Institute and the auditor's report thereon shall, not later than the 31st day of December of each year, be submitted by the Institute, to the Council.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

PART III - REGISTRAR AND REGISTRATION

Clause 13: Appointment of Registrar

(1) There shall be appointed by the Council, a fit and proper person to be the Registrar of the Institute.

(2) The Registrar shall, subject to the overall control of the Council —

(a) be the Secretary to the Council;

(b) keep custody of the Register of the Institute and make such entries in the Register as the Council may from time to time by resolution, direct;

(c) keep custody of the common seal of the Institute and affix same to such documents as the Council may direct; and

(d) carry out other duties as the Council or the President may from time to time direct.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 14: Register of the Institute

The Institute shall keep and maintain a register of all the Members including the Associates, Fellows and Honorary Fellows.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 15: **Registration of Members**

The Institute may subject to the provisions of this Bill, and such rules as the Council may make in that regard, admit and register any person as —

(a) a Member;

(b) an Associate;

(c) a Fellow; or

(d) an Honorary Fellow.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 16: **Registered Member**

A person shall be eligible to be admitted and registered as a Member if that person is —

(a) At least a holder of a first degree or equivalent qualification in Soil Science or Agronomy from any accredited institution and has duly completed the mandatory one year NYSC scheme with proof of participation;

(b) a member of any equivalent Soil Science body or Institute, recognized by the Council.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 17: **Associates**

(a) that person has by research efforts, publications and experience in any area of Soil Science, contributed significantly to the growth and development of Soil Science or related areas; and

(b) the Council is satisfied that the Member is a fit and proper person to be elevated to the rank of Associate;

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 18: **Fellows**

A person who is a Member or Associate shall be eligible to be registered as a Fellow if —

(a) that person has by research efforts, publications and experience in any area of Soil Science, contributed significantly to the growth and development of Soil Science or related areas;

(b) the Council is satisfied that the Member is a fit and proper person to be elevated to the rank of Fellow;

(c) the person holds the minimum academic qualification that admits ordinary members.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 19: Honorary
A person may be registered as an Honorary Fellow if —
(a) that person is distinguished in any area of Soil Management or related industry; and

(b) the Council is satisfied that the person is a fit and proper person to be elevated to the rank of Honorary Fellow.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 20: Certificate and Honours
The Council may subject to its rules in that regard award distinctive certificate and other honours Certificate to any person, Member, Associate, fellow or Honourary Fellow as the case may be, for any distinctive Honours, achievement in any discipline or area of agriculture.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

PART IV - ACCREDITATION OF SOIL ANALYTICAL LABORATORIES

Clause 21: **Accreditation**
(1) The Council shall delegate a Committee of the Council to undertake inspection of Soil Analytical Laboratories in Nigeria for the purpose of accreditation.

(2) Subject to this Bill a person who has not obtained his first degree or other academic qualification from an accredited institution shall not be eligible to be registered as a Member (*Senator Abdullahi Adamu — Nassarawa West*).

Amendment Proposed:
Leave out the word "other" in line 2, and *insert* the word "equivalent" instead thereof (*Senator James E. Manager — Delta South).*

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

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

PART IV - PROFESSIONAL DISCIPLINE

Clause 22: Professional Misconduct

In this part, "professional misconduct" means any conduct considered by the Council to be professional misconduct and includes professional indiscipline, unjust enrichment of any person, abuse of office and corrupt practice in the conduct of a member in the public service.

Committee's Recommendation:

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

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

Clause 23: Disciplinary Misconduct

(1) There shall be established for the Institute a Disciplinary Tribunal to be known as the Nigeria Institute of Soil Science Disciplinary Tribunal (in this Bill referred to as the "Tribunal").

(2) The Tribunal shall hear and determine any case of professional misconduct against any Soil Scientist in the discharge of his official duties as a professional Soil Scientist.

(3) The Tribunal shall consist of the President and six other Members to be appointed by the Council.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 24: Investigating Panel

(1) There shall, for the purpose of the proceedings before the Tribunal be established a panel to be known as the Investigating Panel of the Nigeria Institute of Soil Science (in this Bill referred to as the "Panel").

(2) The Panel shall —

(a) conduct preliminary investigations into any allegation of complaint of professional misconduct against any member, Associate or Fellow of the Institute; and

(b) decide whether or not such member, Associate or Fellow has a case to answer before the Tribunal and where applicable to refer such case to the "Tribunal for hearing and determination.

(3) The Panel shall consist of a Chairman and 4 other members to be appointed by the Council.

Committee's Recommendation:
That the provision in Clause 24 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 25: Tribunal Rules Schedule
The Council may make rules to regulate the proceedings of the Tribunal and the Investigating Tribunal Rules Panel, but until such rules are made the rules contained in the Schedule to this Bill are applicable.

Committee's Recommendation:
That the provision in Clause 25 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 26: Penalties
Where —

(a) a member is adjudged by the Tribunal to be guilty of professional misconduct;

(b) a member is convicted of an offence by any court in Nigeria or elsewhere having power to sentence an offender to imprisonment (whether or not punishable with imprisonment) and the offence in the opinion of the Tribunal derogates from his membership in the Institute; or

(c) the Tribunal is satisfied that any person has been fraudulently registered in the Register of Members, the Tribunal shall give directions to the Registrar either to reprimand that Member or to strike that Member's name off the Register and the Registrar shall comply with such directions.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

PART V - MEETINGS

Clause 27: Convening of Council Meetings
The Council shall hold not less than 4 Council meetings every year, but the President shall upon the requisition of not less than 5 members convene an (2) The President shall preside at any annual general meeting of the Institute; and in the absence of the President, the Vice-President shall preside, and where both the President and the Vice-President are absent, the members present shall elect one of their members to preside at such meeting.emergency Council meeting to transact the business Council specified in the notice of that emergency Council meeting.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 28: President at Council Meetings
The President shall preside at any meeting of the Council, and in the absence of the President, the Vice-President shall preside. But where both the President and the Vice-President are absent, members of the Council present shall elect one of their members to preside at such a meeting.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 29: Validity of Proceedings
The proceedings of the Council shall not be affected by the absence of any member of the Council or any defect in the election or appointment of any member or by reason that a person not entitled to Proceedings, has taken part in such proceedings.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 30: Standing Orders
The Council may make standing orders to regulate its proceedings and those of any of its committees.

Committee's Recommendation:
That the provision in Clause 30 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 31: Annual General Meeting of Institute
(1) The Institute shall every year hold an annual general meeting of the Members.

(2) The President shall preside at any annual general meeting of the Institute; and in the absence of the President, the Vice-President shall preside, and where both the President and the Vice-President are absent, the members present shall elect one of their members to preside at such meeting.

Committee's Recommendation:
That the provision in Clause 31 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

PART VI - MISCELLANEOUS

Clause 32: Regulations

(1) The Council may make regulations to carry into effect any of the provisions of this Bill.

(2) Without prejudice to Subsection (1), the Council may make regulations to —

(a) prescribe the fees, dues and subscriptions payable by the Members;

(b) prescribe the forms of the licenses and certificates, to be issued to Soil Scientists;

(c) prescribe the date, procedure and agenda of the annual general meeting of the Institute; and

(d) specify the offices and duties of the officers of the Institute.

Committee's Recommendation:
That the provision in Clause 32 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 33: Interpretation

In this Bill —
"Council" means Council established by Section 4;

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

"Institute" means Nigeria Institute of Soil Science established by Section I;

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

"Institution" means Faculty, College or University of Agriculture;

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

"Member" means member of the Institute and includes an Associate and a Fellow of the Institute;

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

"President" means President of the Institute;

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

"Ranks" means status of members, Associates or Fellows;

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

"Register" means Register created and maintained under Section 14;

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

"Tribunal" means Tribunal established under Section 23;

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

"Vice-President" means the Vice-President of the Institute;

Question: That the words "Vice-President" in the Interpretation to this Act, put and agreed to.

"Ex-officio" means the immediate past President of the Institute"

Question: That the word "Ex-officio" in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:
That the provision in Clause 33 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

Clause 34: Citation
This Bill may be cited as the Nigeria Institute of Soil Science Bill 2016.

Committee's Recommendation:
That the provision in Clause 34 be retained (*Senator Abdullahi Adamu — Nassarawa West*) — *Agreed to.*

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

SCHEDULE

NIGERIA INSTITUTE OF SOIL SCIENCE DISCIPLINARY TRIBUNAL RULES

Proceedings before the Tribunal

Parties

1. (1) The parties to any proceedings of the Tribunal shall be —
(a) the complainant;
(b) the respondent; and
(c) any other person required by the Tribunal to be joined, or joined by leave of the Tribunal.

(2) Subject to paragraph (3) of this rule, parties to the proceedings may enter an appearance in person, or by their respective legal practitioners acting as counsel.

(3) The Tribunal may require the attendance of the complainant or respondent in person if that is necessary in the interest of justice.

Notice of Hearing

2. (1) When a complaint is referred by the panel to the Tribunal, the Registrar shall, after consultation with the Chairman, appoint a time and place for the hearing; and shall in the form in the Schedule hereto, give notice to all interested parties (including members of the Tribunal and the assessor) as directed or required by the Chairman.

(2) If directions are for any reason not so given, it shall be sufficient compliance with this rule if the notice is —

(a) handed to the party concerned or affected, personally; or

(b) sent by registered post to the last known place of abode of the party;

3. (1) Subject to paragraph (2) of this rule, the Tribunal may hear and determine a case in the absence of any party.

Hearing in absence of parties

(2) Any party to any proceeding before a Tribunal who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the Tribunal were given, for a rehearing on the ground of want of notice or other good and sufficient reason; and the Tribunal, in appropriate cases may grant the application upon such terms as to costs or otherwise as it thinks fit.

Hearing of witnesses

4. The Tribunal may in the course of its proceedings hear witnesses and receive any documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complaint referred to it by the panel; and in the application of this rule, the provisions of the Evidence Act shall apply in any such proceedings.

Amendment of Complaint

5. If in the course of the proceedings it appears to the Tribunal that the complaint before it requires to be amended in any respect, the Tribunal may, on such terms as it thinks fit, allow the amendment to be made and the complaint as amended shall thereupon be dealt with accordingly.

Proceedings be in public

6. The proceedings of the Tribunal shall be held, and its findings and directions shall be delivered in public unless otherwise directed by the Tribunal.

Finding and Costs in certain cases

7. The Tribunal may, on its own motion, or upon the application of any party, adjourn the hearing, on such terms as to cost or otherwise as the Tribunal thinks fits.

False evidence

8. If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings, or willfully makes a false statement in any affidavit sworn to for the purpose of such proceedings, the Tribunal may refer the matter to the Attorney-General of the Federation for such action as the Attorney-General may think fit.

9. If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proved, the Tribunal;

(a) shall record the findings that the respondent is not guilty of such misconduct in respect of which the charge was preferred; and

10. Any finding made or direction given by the Tribunal shall be published in the Federal Gazette immediately after such finding or direction, as the case may be.

11. The Chairman shall during the hearing, take the minutes of the proceedings which shall be open to inspection by the parties and shall be made available to any party upon the payment of such charges as the Registrar may by instrument published in the Federal Gazette, fix.

Miscellaneous powers of Tribunal

12. The Tribunal may dispense with any requirements of these rules regarding notices, affidavits, documents, service or time for doing or omitting anything, in any case where it appears to the Tribunal to be just or expedient so to do, and the Tribunal may in any particular case extend the time for doing anything under these rules.

Powers to retain exhibit pending appeal

13. Books and other exhibits whatsoever produced or used at the hearing shall unless the Tribunal otherwise directs, be retained by the Registrar until the expiry of the time for filing an appeal against any finding or direction of the Tribunal or, if notice of any such appeal is given, until the hearing and disposal of the appeal.

Appointment and duties of Assessors

14. (1) An Assessor, shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in his instrument of appointment, and where the appointment is not a general one, it shall have effect only in respect of a particular proceeding of the Tribunal.

(2) Subject to the terms of his appointment, an assessor shall attend the proceedings of the Tribunal whenever required to do so by notice in writing given to him by the Registrar not later than 3 days, before the date fixed for the hearing of such Proceedings; and he shall advise the Tribunal on questions of law only.

Miscellaneous

Interpretation

15. In these Rules:-

"Complainant" means a person or body appearing before the Tribunal, professional misconduct against a member of the Institute;

"Respondent" means the persons required to answer to any charge of Professional misconduct.

Citation

16. These rules may be cited as the Nigeria Institute of Soil Science (Disciplinary Tribunal) Rules.

Question that paragraphs 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15, to 16 do 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 Agriculture and Rural Development on the Nigeria Institute of Soil Science (Establishment, etc.) Bill, 2016 and approved as follows:

Clauses 1- 3	—	As Recommended
Clause 4	—	As Amended
Clauses 5 - 20	—	As Recommended
Clause 21	—	As Amended
Clauses 22 - 34	—	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.

13. Committee on Agriculture and Rural Development:
Report on the Nigerian Agricultural Quarantine Service Bill, 2016 (SB. 81):

Consideration of Report deferred to another Legislative Day.

14. Motions:

(a) Indiscriminate Rock Blasting in the FCT and other parts of Nigeria (Bearing in mind that with the passage of the 2016 Appropriation Act, construction works will soon commence):

Consideration of Motion deferred to another Legislative Day.

(b) The need to sustain the laudable Anti-Polio campaign in Nigeria:

Consideration of Motion deferred to another Legislative Day.

15. Adjournment:
Motion made: That the Senate do now adjourn till Thursday, 9th June, 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.