



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS**

Wednesday, 11th March, 2020

1. The Senate met at 10:38 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 10th March, 2020.
Question was put and the Votes and Proceedings were approved.
3. **Announcements:**
(a) **Letter of Appreciation:**
The President of the Senate read a letter from Senator Akon E. Eyakenyi (Akwa-Ibom South) as follows:



SENATOR AKON EYAKENYI (PhD, PHF)
Vice Chairman, Committee on Education (Basic & Secondary)

March 9, 2020

*His Excellency
Senator Ahmad Ibrahim Lawan PhD, CON
President of the Senate, Federal Republic of Nigeria
National Assembly Complex
Abuja*

My dear President,

**APPRECIATION FOR YOUR PRAYERS AND SUPPORTS DURING
MY 60TH BIRTHDAY THANKSGIVING**

My Dear Distinguished Colleagues

I write to convey my appreciation to Mr. President Senator Ahmed Lawan CON, the Deputy President of Senate, Senate Principal Officers and all my Distinguished Colleagues for your Prayers and show of love towards me during my 60th Birthday Thanksgiving celebration and Dedication of my 9th Grandchild, held on Sunday, 1st March, 2020.

Mr. President, Distinguished Colleagues, your massive presence added so much value to the event. It was a great honour done me and my family. My constituents were joyful to have hosted a massive turnout of Senators at Uyo on that day, my Governor and other Akwa Ibom leaders are very happy at your demonstration of love and honour.

Your actions have further encouraged me to maintain true friendship with all my Distinguished colleagues at all times. Your goodwill is highly treasured and the memories will stretch beyond 9th Senate.

On behalf of my husband Elder Etim Eyakenyi, my children and grandchildren, I thank you for your felicitations.

God bless you.

(Signed)

Senator Akon Eyakenyi PhD

(b) Acknowledgment:

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

- (i) Members of National Association of Nigerian Students, South-West Zone 'D', Lagos State University, Ojo, Lagos State; and
- (ii) Staff and Students of Praise & Goodness International Secondary School, Uke, Nasarawa State.

4. Petition:

Rising on Rule 41, Senator Solomon O. Adeola (*Lagos West*) drew the attention of the Senate to a petition from his constituent, Mr. Erinkitola M. Ajani, against Yaba College of Technology, over his wrongful termination of appointment. 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 four (4) weeks.

5. Personal Explanation:

Rising on Rule 43, Senator Sandy O. Onor (*Cross Rivers Central*) drew the attention of the Senate to the demise of Senator Joseph Oqua Ansa which sad event occurred on the 26th November, 2019. Late Senator Joseph Oqua Ansa was born in Ikot Ansa, Qua town, Calabar on the 20th August, 1940 and was trained in Labour Management and Journalism at the University of Ibadan and the London School of Journalism between 1957 and 1965. He was elected to the Senate in 1979 under the platform of the Great Nigeria People's Party (GNPP). He urged the Senate to observe a minute silence in honour of the deceased.

One minute silence observed in honour of the deceased.

6. Personal Explanation:

Rising on Rule 43, Senator Yahaya A. Abdullahi (*Kebbi North*) drew the attention of the Senate to the ad hoc Committee on Nigerian Security Challenges: Urgent Need to Restructure, Review and Reorganize the Current Security Architecture assignment which has not been concluded. He stated that additional information was required from the Nigeria Police and National Security Adviser to enrich its report. He urged for one (1) week extension to complete the assignment.

By the leave of the Senate, one (1) week extension was granted to the Committee.

11. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 184):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to give Local Government Council direct control of their Finances and Other Matters Related Thereto, 2020 be read the Second Time (*Senator Uche L. Ekwunife — Anambra Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
12. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 218):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for an upward review of the Derivation Formula for the inclusion of Solid Minerals and Hydro Power in the Derivation principle and for Related Matters, 2020 be read the Second Time (*Senator Olubunmi A. Adetunmbi — Ekiti North*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
13. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 240):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to CAP C23 LFN 2004 to make provisions for Right to Food and Food Security in Nigeria and for Related Matters, 2020 be read the Second Time (*Senator Abdullahi Adamu — Nasarawa West*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
14. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 247):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the regulation of the jurisdiction of the Supreme Court and Court of Appeal and for Related Matters, 2020 be read the Second Time (*Senator Surajudeen A. Basiru — Osun Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*

7. Presentation of Bills:

- (i) Finance Act 2020 (Amendment) Bill, 2020 (SB.397) — *Read the First Time.*
- (ii) Generating Set (Prohibition/Ban) Bill, 2020 (SB. 366) — *Read the First Time.*
- (iii) Advanced Healthcare Development Fund Bill, 2020 (SB. 371) — *Read the First Time.*
- (iv) Abuja Geographical Information System (AGIS) (Establishment, etc.) Bill, 2020 (SB.391) — *Read the First Time.*
- (v) Federal Polytechnic Dange, Sokoto State (Establishment, etc.) Bill, 2020 (SB. 389) — *Read the First Time.*
- (vi) Nigeria Steel University, Ajaokuta, Kogi State (Establishment, etc.) Bill, 2020 (SB.393) — *Read the First Time.*

8. Finance Act 2020 (Amendment) Bill, 2020 (SB.397):

Motion made: That a Bill for an Act to amend the Finance Act, 2019 and other relevant tax statutes to provide clarifications regarding the tax incentives for Agricultural production, the administrative effective date for the commencement of the increase in Value Added Tax to 7.5% and certain Basic items exempt from Value Added Tax and for other connected matters, 2020 (SB. 397) be read the Second Time (*Senator Yahaya A. Abdullahi — Kebbi North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Finance to report within One (1) week.

9. Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 109):

Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to make provision for the Financial Autonomy of Local Government Councils and for Other Matters, 2020 be read the Second Time (*Senator Babba K. Ahmad — Katsina North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.

10. Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 74):

Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the amendment of Section 54(1) and Section 96(1) Therein, 2020 be read the Second Time (*Senator Istifanus D. Gyang — Plateau North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.

Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.

19. North West Development Commission (Establishment, etc.) Bill, 2020 (SB. 207):

Motion made: That a Bill for an Act to establish the North West Development Commission to Act as a catalyst to develop the commercial and industrial potentials of the North West, to receive and manage funds from allocation of the Federation for the Agricultural and Industrial Development of the North West and Other Related 2020 be read the Second Time (*Senator Barau I. Jibrin — Kano 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.

20. Federal University of Agriculture, Kabba (Establishment, etc.) Bill, 2020 (SB. 282):

Consideration of Bill deferred to another Legislative Day.

21. Civil Aviation Act 2006 (Repeal and Re-Enactment) Bill, 2020 (SB. 195):

Motion made: That a Bill for an Act to Repeal the Civil Aviation Act, 2006 and to enact the Civil Aviation Act for the regulation of Civil Aviation in Nigeria and for Related Matters, 2020 be read the Second Time (*Senator Robert A. Boroffice — Ondo North*)

Debate:

Question put and agreed to.

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

22. Motions:

(a) Urgent Need to Investigate the Rehabilitation of Mararaba-Mubi-Michika-Bama Road Contract:

Motion made: That the Senate notes that the contract for rehabilitation of Mararaba-Mubi-Michika-Bama road in Adamawa/Borno States was awarded to RHAS Nigeria Limited on the 27th day of February 2017 as part of Federal Government's reconstruction efforts of the north-eastern part of Nigeria;

further notes that the contract also includes rehabilitation of the three bridges along the road that were damaged by soldiers in the fight against Boko Haram in order to prevent the insurgents from gaining access to the troops;

aware that between May 2017 and May 2018, RHAS Nigeria Limited received payment of ₦1,625,000,000 (one billion, six hundred and twenty five million naira) in three instalments in the following order: ₦1,200,000,000 (one billion, two hundred thousand naira) on 12th May 2017; ₦175,000,000 (one hundred and seventy five million naira) on 31st January, 2018; and ₦250,000,000 (two hundred and fifty million naira) on 23rd May 2018;

regrets that almost three years after awarding the contract, with mobilisations as indicated above, no meaningful progress has been made on the project except construction of drains and culverts;

15. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 253):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide immunity for members of the legislature in respect of words spoken or written at Plenary Sessions or Committee proceedings and institutionalize legislative bureaucracy in the Constitution; and for Related Matters, 2020 be read the Second Time (*Senator Micheal O. Bamidele — Ekiti Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
16. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 318):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to preclude the Federal High Court from entertaining Pre-election disputes emanating from Congresses, Conferences, Conventions or other meetings convened by political parties for the purpose of electing members of Executive Committees or other governing bodies and for Related Matters, 2020 be read the Second Time (*Senator Ovie A. Omo-Agege — Delta Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
17. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 319):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to preclude the High Court of the Federal Capital Territory from entertaining Pre-election disputes emanating from Congresses, Conferences, Conventions or other meetings convened by political parties for the purpose of electing members of Executive Committees or other governing bodies and for Related Matters, 2020 be read the Second Time (*Senator Ovie A. Omo-Agege — Delta Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the ad hoc Committee on Constitutional Review.*
18. **Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2020 (SB. 320):**
Motion made: That a Bill for an Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to preclude the High Court of a State from entertaining Pre-election disputes emanating from Congresses, Conferences, Conventions or other meetings convened by political parties for the purpose of electing members of Executive Committees or other governing bodies and for Related Matters, 2020 be read the Second Time (*Senator Ovie A. Omo-Agege — Delta Central*).
- Debate:*
- Question put and agreed to.*

(b) *The Urgent Need to Accelerate Human Capital Development in Nigeria:*

Motion made: That the Senate notes that no economy develops without skilled human resources to drive that growth, hence, Nigeria must prioritize human capital development for its economic growth;

notes that human beings are the most important and promising source of productivity and economic growth equipment and technology are products of human minds and can only be made productive by people. Therefore, the success of any productive programme, depends on human innovative ideas and creativity;

notes further that human capital is an important factor used in converting all resources to mankind's use and benefit. Economists observed that the development and utilization of human capital is important in a nation's economic growth;

aware that Nigeria is blessed with abundant human resources comprising of youthful population which are yet to be harnessed.

aware that the key barometers to gauge the development of human capital are education and health. It is therefore unfortunate that Nigeria, as a country, has performed woefully in these two key areas. While the education and health sectors are underfunded by government at Federal, States and Local levels, the little funding appropriated for these sectors by government and private sector players are mismanaged, leading to dearth of human capital;

aware also that Tertiary institutions are churning out half-baked graduates that are less useful in the labour market, while capital flight continue to dominate the health sector in the country with Nigerians seeking medical attention abroad, even as most qualified doctors in the country keep moving abroad at the slightest opportunity;

acknowledges that the global economy has shifted to a more knowledge-based sectors, such as: the manufacture of ICT devices, pharmaceuticals, telecommunications and other ICT based services, R&D, among others, skills and human capital development becomes a central issue for policy makers and practitioners engaged in economic development both at the National and Regional level;

concerned that Nigeria is ranked 152 out of 157 countries on the World Bank 2018 Human Capital Index list sharing the bottom of the index with countries like Chad, South Sudan, Niger, Mali, and Liberia. Of the 85.08 million Labour Force by 3rd quarter 2017, only 7.14 percent work in any form of industry, including the Oil and Gas Industry. The current poor ranking on the Global Human Development Index underscores the fact that more needs to be done urgently to accelerate human capital development in Nigeria;

concerned also that the number of out of school children is increasing. A total of 13.2 million of basic education school-age children were out of school in 2013 this is an increase of 3.3 million from the 2010 estimates and the trend has continue till date. It is even more concerning that of the " out of school " population about 8 million are girls;

worried that over 100 million Nigerians live on less than ₦500 per day. Several of these poor households are in our constituencies. At 23%, the unemployment in our country is unacceptably high, it gets more worrisome when you note that a further 20 percent of the labor force are underemployed. Our youths make up 56% of those unemployed. Many employed people work in low-productivity, low-income jobs with no job or income security - largely in subsistence agriculture;

worried that RHAS Nigeria Limited has identified security threat as a major challenge in executing the contract because of activities of Boko Haram in the north-east, especially in Adamawa and Borno States where the road is situated;

further worried that economic and social life in Adamawa and Borno States has been affected fundamentally and negatively due to the condition of the Mararaba-Mubi-Michika-Bama road, which makes movement along the route almost impossible, thereby further rendering Nigerians resident in those areas susceptible to attacks;

concerned that residents of many communities in Adamawa and Borno States live in perpetual fear of attack by insurgents; a situation that is aggravated by poor road network along Mararaba-Mubi-Michika-Bama route, which has continued to be a nightmare despite awarding the contract almost three years ago;

alarmed that the security threat in the northeast, especially Adamawa and Borno States, will likely create a situation of stalemate in the rehabilitation of Mararaba-Mubi-Michika-Bama road due to security threats, as the contractor, RHAS Nigeria Limited equally pointed out in a letter to the Minister of Power, Works and Housing sometime in 2018;

convinced that there is need to protect lives and property of citizens and also ensure meticulous use of public funds while providing infrastructure, there is need to revoke the contract for rehabilitation of the Mararaba-Mubi-Michika-Bama road in Adamawa/Borno States and award it to Army Corps of Engineers that has capacity to undertake the project amidst the present security challenges; and

further convinced that awarding the contract to Army Corps of Engineers under the Ministry of Defence with full military presence on site will facilitate speedy rehabilitation of the road, thereby improving economic and social lives of citizens while also paving way for transparency and accountability in expending public funds.

Accordingly resolves to:

mandate the Committee on Works to engage the Federal Ministry of Works and Housing to ascertain the level of work and report to the Senate (*Senator Elisha C. Ishaku — Adamawa North*)

Debate:

Proposed Resolution

Question: That the Senate do mandate the Committee on Works to engage the Federal Ministry of Works and Housing to ascertain the level of work and report to the Senate.

Amendment Proposed

Leave out the proposed resolution and *insert* the following instead thereof:

That the Senate do mandate the Committee on Works to engage the Federal Ministry of Works and Housing to investigate why the project was abandoned (*Senator Abba P. Moro — Benue South*)

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

Resolved:

That the Senate do mandate the Committee on Works to engage the Federal Ministry of Works and Housing to investigate why the project was abandoned (*S/Res/136/01/20*).

- (iii) urge the Federal Government to urgently review the National Educational Curricular to produce market-relevant graduates and in particular declare an emergency to address girl's education in the country;
- (iv) urge the Federal Government to resuscitate manpower planning and scale up entrepreneurship and skills development programmes including Technical and Vocational Education;
- (v) urge the Federal Government to redouble its resource mobilization efforts and prioritize human capital development in resource allocation and improve the efficiency of resource use; and
- (vi) urge State Governments to urgently implement the high-impact interventions, prioritizing investment in human capital development, spending more on preventive healthcare, increasing education enrolment and reducing the number of out of school children and drop outs (*Senator Stella A. Oduah — Anambra North*).

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate the Committees on National Planning; Health (Secondary and Tertiary); Education (Basic & Secondary); Tertiary Institutions and TETFUND; Women Affairs; Sports and Youth Development; Employment, Labour and Productivity; Poverty Alleviation and Social Investment Programme; and Sustainable Development Goals etc., to be chaired by the Senate Leader to convene a Special Policy Roundtable on Human Capital Development in Nigeria, and identify policy measures that can enable Nigeria reap democratic dividends — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Government to immediately set in motion the development of a National Human Capital Development Strategy and reform action plan and ensure immediate implementation of identified high-impact interventions across the country — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Federal Government to urgently review the National Educational Curricular to produce market-relevant graduates and in particular declare an emergency to address girl's education in the country — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge the Federal Government to resuscitate manpower planning and scale up entrepreneurship and skills development programmes including Technical and Vocational education — *Agreed to.*

Proposed Resolution (v):

Question: That the Senate do urge the Federal Government to resuscitate manpower planning and scale up entrepreneurship and skills development programmes including Technical and Vocational education — *Agreed to.*

Proposed Resolution (vi):

Question: That the Senate do urge State Governments to urgently implement the high-impact interventions, prioritizing investment in human capital development, spending more on preventive healthcare, increasing education enrolment and reducing the number of out of school children and drop outs — *Agreed to.*

worried that the total public spending on basic education has been around 1.7 percent of GDP and 12.5 percent of total public expenditure in 2013, well below the averages for sub-Saharan Africa (4.6 percent of GDP and 17 percent of total public expenditure);

worried further that Nigeria spends less on health than any other government in the world. In 2016, public health spending was 0.6% of GDP. Most of the spending is on tertiary and secondary hospitals leaving little for primary and preventive health care. Health care in the country is mainly financed by household out-of-pocket health expenditures, which account to about 70%. This is one of the highest levels of out of pocket payments for health in the world placing the poor at a very high risk;

reiterates that the combination of poor health outcomes poor education, and poor labor market dim the prospects of enhanced growth and poverty reduction in Nigeria. Our high fertility rate, high population growth and conflicts in several areas, coupled with low investment in health and education and high unemployment have dangerous implications for pandemics, migration and even further conflict;

notes that investments in human capital have become more and more important for countries to progress and be competitive. Without rapid improvements in skills, health, knowledge, and resilience (all constituting human capital) of Nigerians - we will not have a Nigeria that is very productive, creative and innovative;

aware that some actions have been taken in this regard by the Federal Government among which are-

- The institution of Economic Recovery and Growth Plan (ERGP) as regards Investing in Nigerian People;
- The setting up the Human Capital Development (HCD) Core Working Group which has articulated a HCD vision for the country and identified a list of 16 preliminary high-impact interventions to improve the Country's indices; and
- The introduction of the National Social Investment Programmes and recently established the Ministry of Humanitarian Affairs, Disaster Management and Social Development to implement them;

regrets that all these seems not enough to tackle the enormous problems affecting the Human Capital Development in the country.

Accordingly resolves to:

- (i) mandate the Committees on National Planning; Health (Secondary and Tertiary); Education (Basic & Secondary); Tertiary Institutions and TETFUND; Women Affairs; Sports and Youth Development; Employment, Labour and Productivity; Poverty Alleviation and Social Investment Programme; and Sustainable Development Goals etc., to be chaired by the Senate Leader to convene a Special Policy Roundtable on Human Capital Development in Nigeria, and identify policy measures that can enable Nigeria reap democratic dividends;
- (ii) urge the Federal Government to immediately set in motion the development of a National Human Capital Development Strategy and reform action plan and ensure immediate implementation of identified high-impact interventions across the country;

Resolved:

That the Senate do:

- (i) mandate the Committees on National Planning; Health (Secondary and Tertiary); Education (Basic & Secondary); Tertiary Institutions and TETFUND; Women Affairs; Sports and Youth Development; Employment, Labour and Productivity; Poverty Alleviation and Social Investment Programme; and Sustainable Development Goals etc., to be chaired by the Senate Leader to convene a Special Policy Roundtable on Human Capital Development in Nigeria, and identify policy measures that can enable Nigeria reap democratic dividends;
- (ii) urge the Federal Government to immediately set in motion the development of a National Human Capital Development Strategy and reform action plan and ensure immediate implementation of identified high-impact interventions across the country;
- (iii) urge the Federal Government to urgently review the National Educational Curricular to produce market-relevant graduates and in particular declare an emergency to address girl's education in the country;
- (iv) urge the Federal Government to resuscitate manpower planning and scale up entrepreneurship and skills development programmes including Technical and Vocational education;
- (v) urge the Federal Government to redouble its resource mobilization efforts and prioritize human capital development in resource allocation and improve the efficiency of resource use; and
- (vi) urge State Governments to urgently implement the high-impact interventions, prioritizing investment in human capital development, spending more on preventive healthcare, increasing education enrolment and reducing the number of out of school children and drop outs (*S/Res/137/01/20*).

23. **Adjournment:**

Motion made: That the Senate do now adjourn till Thursday, 12th March, 2020 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:28 p.m.

Ahmad Ibrahim Lawan, Ph.D, CON
President,
Senate of the Federal Republic of Nigeria.