



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 24th March, 2021

1. The Senate met at 10:50 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 23rd March, 2021.
Question was put and the Votes and Proceedings were approved as amended.
3. **Announcements:**
 - (a) The President of the Senate read a letter from Senator Ovie A. Omo-Agege (*Delta Central*) as follows:



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
Committee on the Review of the 1999 Constitution
National Assembly Complex,
P.M.B. 141, Garki, Abuja-Nigeria

24th March, 2021

*His Excellency
The Senate President
Senate Chamber
National Assembly Complex
Abuja*

ANNOUNCEMENT

The Senate Committee on the Review of the 1999 Constitution will meet tomorrow; Thursday 25th March, 2021, at 12:00pm, in Meeting Room 211, Senate Building.

*(Signed)
Senator Ovie Omo-Agege
Deputy Senate President/Chairman*

- (b) The President of the Senate read a letter from Senator Ovie A. Omo-Agege (*Delta Central*) as follows:



HIS EXCELLENCY
Senator Ovie Omo-Agege
DEPUTY PRESIDENT OF THE SENATE
FEDERAL REPUBLIC OF NIGERIA

23rd March, 2021

*His Excellency
The Senate President
National Assembly
Abuja.*

ANNOUNCEMENT

There will be a meeting of Southern Senators scheduled to hold as follows:

*Date: Wednesday, 24th March, 2021
Time: 1:30pm
Venue: Conference Room 022, Senate Building.*

Distinguished Senators should please endeavour to attend.

*(Signed)
Senator Ovie Omo-Agege
Deputy President of the Senate*

4. Presentation of Bills:

- (i) Nigeria Police Act 2020 (Amendment) Bill, 2021 (SB. 679) — Read the First Time.*
- (ii) Federal Medical Centre Damasak, Borno State (Establishment) Bill, 2021 (SB. 682) — Read the First Time.*
- (iii) Lobbyist Registration Bill, 2021 (SB. 683) — Read the First Time.*
- (iv) Araromi Sea Front Port, Ondo State (Establishment) Bill, 2021 (SB. 684) — Read the First Time.*
- (v) Small Holders Farmers Protection Bill, 2021 (SB. 685) — Read the First Time.*

5. Executive Communication:

Confirmation of the Nominations for Appointment as Chairman and Members of the National Human Rights Commission (NHRC):

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of the nominations of the following persons for appointment as Chairman and Members of the National Human Rights Commission (NHRC):

No.	Name	Position
1.	Salamatu Hussaini Suleiman	Chairman
2.	Mrs. Beatrice Jedy-Agba, mni	Member
3.	Amb. Umar Zainab Salisu	Member
4.	Mrs. Dafe T. Adesida	Member
5.	Joseph Onyemaechi Mmamel	Member
6.	Ahmad Abubakar Fingilla	Member
7.	Kemi Asiwaju-Okeyonda	Member
8.	Abubakar Muhammed	Member
9.	Femi Okeowo	Member
10.	Sunny Daniel	Member
11.	Barrister Agabaidu Chukwuemeka Jideani	Member
12.	Mrs. Nella Andem-Rabana, SAN	Member
13.	Azubuike Nwakwenta	Member
14.	Jamila Isah	Member
15.	Mrs. Idayat Omolara Hassan	Member
16.	Prof. Anthony Ojukwu	Member

(Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee on Judiciary, Human Rights and Legal Matters to report within two (2) weeks.

6. Committee on Interior:

Report of the Committee on Interior on the confirmation of the nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service:

Motion made: That the Senate do receive and consider the Report of the Committee on Interior on the confirmation of the nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service (*Senator Kashim Shettima — Borno Central*).

Question put and agreed to.

Report Laid and Presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report of the Committee on Interior on the confirmation of the nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)
(Screening of Nominee)

Nominee screened:

Haliru Nababa — *Agreed to*

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Interior on the confirmation of the nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service and approved the nomination.

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

Confirmation of Nominee:

Question:

“Will the Senate confirm the nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service?” — *Resolved in the Affirmative.*

Nomination of Haliru Nababa as Controller-General, Nigerian Correctional Service accordingly confirmed.

7. Committee on Agriculture and Rural Development:

Report of the Committee on Agriculture and Rural Development on National Agricultural Development Fund (Establishment) Bill, 2021:

Motion made: That the Senate do receive and consider the Report of the Committee on Agriculture and Rural Development on the National Agricultural Development Fund (Establishment) Bill, 2021 (*Senator Abdullahi Adamu — Nasarawa West*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL AGRICULTURAL DEVELOPMENT FUND AND MATTERS CONNECTED THEREWITH BILL 2021

PART I — ESTABLISHMENT OF THE NATIONAL AGRICULTURAL DEVELOPMENT TRUST FUND AND THE GOVERNING BOARD

Clause 1: Establishment of the National Agricultural Development Fund.

- (1) There is established a body to be known as the National Agricultural Development Fund (in this Bill referred to as "the Fund").
- (2) The Fund shall be a body corporate with perpetual succession and a common seal and may—
 - (a) sue and be sued in its Corporate name; and
 - (b) hold and dispose its property whether movable or immovable.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 2: Establishment of the Governing Board.

- (1) There is established for the Fund a Governing Board (in this Bill referred to as "the Board").
- (2) The Board shall consist of—
 - (a) a Chairman;
 - (b) one representative each of the followings —
 - (i) Ministry of Finance (office of the Accountant-General),
 - (ii) Federal Inland Revenue Service,
 - (iii) All Farmers Association of Nigeria,

Amendment Proposed:

Insert a new subclause 2(2)(b)(iv) as follows and renumber accordingly:

"All livestock, fisheries and poultry associations of Nigeria" (*Senator Yusuf A. Yusuf — Taraba Central*).

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

- (iv) National Food Reserve Agency,
- (v) Bankers Association of Nigeria,

- (vi) the organised private sector to represent special interest;
- (c) One person to represent the Federal Ministry of Agriculture and Rural Development;

Amendment Proposed:

Insert a new subclause 2(2)(d) as follows and renumber accordingly:

“One (1) person to represent the Federal Ministry of Science and Technology” (Senator Robert A. Boroffice — Ondo North).

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

- (d) one person from each of the six geopolitical zones; and
 - (e) the Executive Secretary.
- (3) The Chairman and members shall be appointed by the President on the recommendation of the Minister.

Amendment Proposed:

Immediately after the word “President” leave out all the words” (Senator Ovie A. Omo-Agege — Delta Central).

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

- (4) The President may vary the composition of the Board after consultation with the Minister.

Amendment Proposed:

Leave out the provisions in subclause 2(4) (Senator Yahaya A. Abdullahi — Kebbi North).

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

- (5) The Performance of the functions or exercise of the powers of the Board shall not be affected by reason of there being a vacancy in the membership of the Board.
- (6) The appointment of a member shall not be invalidated by reason of a defect or irregularity in or in connection with his nomination or appointment.
- (7) Member, other than ex-officio, shall be part-time members.
- (8) The supplementary provisions set out in the Schedule to the Act shall have effect with respect to the proceedings of the Board and other matters contained therein (Senator Abdullahi Adamu — Nasarawa West).

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

Clause 3: Qualifications of Members.

- (1) The Chairman and members shall hold the following qualifications —
- (a) Finance as it relates to agriculture, agricultural policy formulation and implementation; or

- (b) Economics as it relates to agriculture, agricultural policy and implementation.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 4: Tenure of Members.

- (1) A member other than ex-officio —
- (a) shall hold office for a term of four years and no more; or
- (b) may hold office on such terms and conditions as may be specified in his letter of appointment.
- (2) A member may at any time be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body) or if the President considers that it is not in the interest of the Fund or the Public for such member to continue in office.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 5: Cessation of Membership.

- (1) A member may cease to hold office if —
- (a) he is without permission of the Board absent for more than three consecutive meetings of the Board or without such permission is absent from the country for a period exceeding one year;
- (b) in case of a professional who is disqualified or suspended (other than at his own request) from practicing his profession in any part of Nigeria by the order of any competent authority.
- (c) A person shall cease to be a member if he —
- (i) becomes bankrupt; or
- (ii) is guilty of serious misconduct in relation to his duties; or
- (iii) is convicted of a felony or any offence involving dishonesty.
- (2) A member may at any time resign his membership —
- (a) by giving notice in writing through the Minister to the President and the resignation becomes effective from the date specified in the notice; and
- (b) if no date is specified, from the date of the receipt of the notice by the President.

- (3) Where a member ceases to hold office for any reason whatsoever before the expiration of his term of office, the President after consulting the Minister may appoint another person for the unexpired term.

Committee's Recommendation:

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

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

Clause 6: Allowances of Member.

Member shall be paid such allowances as the Federal Government may from time to time direct.

Committee's Recommendation:

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

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

PART II — FUNCTIONS OF THE FUND AND POWERS OF THE BOARD

Clause 7: Functions of the Fund.

The Fund shall —

- (a) provide finance to support Agricultural development in Nigeria taking into consideration the need to provide food production and food security in Nigeria;

Amendment Proposed:

Immediately after the word "Nigeria" insert the words "in all its ramifications including but not limited to crop production, livestock, fisheries, poultry and agro-forestry" (Senator Yahaya A. Abdullahi — Kebbi North).

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

- (b) provide finance for the implementation of Agricultural policies and to strengthen Agriculture Institutions within the framework on national priorities and strategies;
- (c) provide funds for on-lending to farmers and corporate bodies through appropriate financial institutions including microfinance banks, cooperative societies, organisations, farmer groups and institutions on appropriate soft terms;
- (d) provide finance primarily for the establishment of special Agricultural zonal offices in the six geo-political zones, to boost food production system in Nigeria;

Amendment Proposed:

Immediately after the word "in" in line 2, leave out the words "the six geo-political zones" and insert the words "each State of the Federation" instead thereof (Senator Ibrahim J. Barau — Kano North).

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

- (e) provide financial support in the form of grant for research, training, market information systems and agricultural extension service in research institutes, universities and Ministries;

- (f) provide emergency Fund for Agriculture-Finance and intervention for the control of trans-boundary animal disease outbreak;
- (g) participate in the effort to build rural access to financial service through microfinance by creating linkages between upstream financial centre (including private-sector groups) and local organization's serving rural poor peoples;
- (h) assist the efforts of donor institutions to increase food and agricultural production as well as the organisation's technical competence and experience in this field; and
- (i) engage in such activities and perform such functions as this Act may confer or as the President may, after consultation with the Minister, permit or assign to it (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 8: Powers of the Board.

The Board shall have power to —

- (a) make regulations for the management of the fund with the approval of the Minister;
- (b) approve the annual budget of the Fund;
- (c) approve all grants for agricultural research, training and development;
- (d) approve loan for agricultural investment subject to section 8 (b) of this Act;
- (e) review and monitor the activities of the Fund;
- (f) approve payments (such as remunerations and allowances) to persons employed by the Fund;
- (g) give report on all activities of the Fund on the quarterly basis through the Minister to the President;
- (h) specify the manner in which assets of the Fund are to be held and regulate payment into and out of the Fund;
- (i) specify the manner for the timely disbursement and recovery (where necessary) of loans;
- (j) require the keeping of proper accounts and records for the purposes of the Fund in such form as may be specified in the rules;
- (k) require the accounts of the Fund to be audited periodically by the Auditor-General of the Federation;
- (l) ensure the submission of copies of the accounts and the Auditor's Report thereon to the Federal Executive Council through the Minister;
- (m) monitor the execution of projects; and

- (n) carry out such other activities as may be incidental to the discharge of its function under this Act.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

PART III — APPOINTMENT OF THE EXECUTIVE SECRETARY AND OTHER STAFF

Clause 9: Appointment of the Executive Secretary, etc.

- (1) There shall be for the Fund an Executive Secretary who shall be appointed by the President on the recommendation of the Minister.
- (2) The Executive Secretary shall be a person who in the opinion of the Minister has acquired cognate experience in any of the following disciplines —
- (a) agricultural finance;
 - (b) economics;
 - (c) agricultural policy formulation and implementation.
- (3) The Executive Secretary shall be the Chief Executive of the Fund, and is responsible for the day-to-day administration of the Fund subject to the general directions of the Board.
- (4) The Executive Secretary shall —
- (a) hold office for a term of five years and no more; or
 - (b) on such terms and conditions as are specified in his letter of appointment.
- (5) Notwithstanding, the provision of subsection (4) of this section, the Executive Secretary may be removed from office by the President —
- (a) for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct, or
 - (b) if he is satisfied that it is not in the interest of the service or the public for him to continue in office.
- (6) The Executive Secretary may resign his appointment by a letter to the President through the Minister.
- (7) The Board may deploy or appoint for the Fund other employees upon such terms and conditions as may be determined by the Board.
- (8) Service in the Fund shall be approved service for the purpose of the Pensions Reform Act.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

PART IV — FINANCIAL PROVISIONS

Clause 10: Account.

- (1) The Fund shall establish and maintain an account from which shall be defrayed all expenditure incurred by the Fund.
- (2) There shall be paid into the account established in subsection 1 of this section the following —
 - (a) take-off grant provided by the Federal Government;
 - (b) 0.5% of the Natural Resource Development Fund;
 - (c) 5% of profit after tax of each Commercial Banks in Nigeria;

Amendment Proposed:

Leave out the figure "5%" and insert the figure "0.5%" instead thereof: (Senator Mohammed S. Musa — Niger East).

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

- (d) 5% of the Petroleum Profit Tax;

Amendment Proposed:

Leave out the figure "5%" and insert the figure "0.5%" instead thereof: (Senator Mohammed S. Musa — Niger East).

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

- (e) 5% of the duty levied on imported Rice, Wheat, Sugar, Milk, poultry and fish;
- (f) monies appropriated by the National Assembly (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 11: Expenditure.

The Board may from time to time, apply the proceeds of the account established in section 10(1) of this Bill to —

Amendment Proposed:

Insert a new subclause 11(a) as follows:

- "(a) undertake the functions of the fund (*Senator Surajudeen A. Basiru — Osun Central*).

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

- (a) the cost of administration of the Fund;
- (b) the payment of the allowances and benefits of members and for reimbursing members of any Committee set up by the Board for such expenses as may be expressly authorised by the Board;

- (c) the payment of salaries, remuneration or allowances, pensions and other benefits payable to the officers, and other employees of the Fund, but no payment of any kind under this paragraph (except such as may be expressly authorised by the Board) shall be made to any person who is in receipt of emolument from the Federal or State Government; and
- (d) the development and maintenance of any property vested in or owned by the Fund (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 12: Annual Accounts and Estimates.

- (1) The Fund shall keep accounts in respect of each year and proper records in relation to those accounts and shall cause to be prepared in each year—
 - (a) a statement showing the income and expenditure of the Fund for the preceding year; and
 - (b) a statement of all assets and liabilities of the Fund as at the last day of the immediate preceding year.
- (2) The Fund shall cause every statement prepared under this Section to be audited within six months after the end of the year to which the statement relates by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.
- (3) The Fund shall submit to the Minister, not later than 31st August in each year, as estimate of its expenditure and income during the next succeeding year.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 13: Annual Report, Audited Accounts and Auditor's Report.

- (1) The Fund shall prepare and submit to the Minister not later than six months after the end of the year a Report, in such form as the Minister may direct, on the activities of the Fund during the immediate preceding year and shall include in the report a copy of the audited accounts of the Fund for that year and Auditor's Report thereon.
- (2) The Minister shall submit a copy of each report made to him under this section to the Federal Executive Council.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 14: Power to accept Gift.

- (1) The Fund may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.

- (2) The Fund shall not accept any gift if the conditions attached by the person or organisation offering the gift are inconsistent with the functions and objectives of the Fund.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 15: Power to Borrow.

- (1) The Fund may, from time to time, borrow by way of overdraft or otherwise such sums as it may require for the performance of its functions under this Act.
- (2) The Fund shall not, without the approval of the Minister, borrow money which exceeds at any time, the amount set by the Government as the limit of the authority of the Fund.
- (3) Where the sum to be borrowed is in foreign currency, the Fund shall seek and obtain the approval of the Minister through the Board.

Committee's Recommendation:

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

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

PART V — LEGAL PROCEEDINGS

Clause 16: Limitation Against Suit.

- (1) No suit shall be instituted in any court against the Fund or its employee unless it is commenced —
- (a) within three months next after the act, neglect or default complained of; and
- (b) in the case of continuation of damage or injury, within three months next after the ceasing thereof.
- (2) No suit shall commence against the Fund before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Fund by the intending plaintiff or his agent and the notice shall clearly state the—
- (a) cause of action;
- (b) particulars of claim;
- (c) name and place of abode of the intending plaintiff; and
- (d) the relief which he claims.

Committee's Recommendation:

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

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

Clause 17: Service of Documents.

A notice referred to in Section 18(2) of this Bill, summons or other documents required or authorised to be served on the Fund under this Act or any other law or enactment may be served by—

- (a) delivering it to the office of the Executive Secretary; or
- (b) by sending it by registered post addressed to the Executive Secretary or the principal office of the Fund.

Committee's Recommendation:

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

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

Clause 18: Restriction on Execution.

- (1) In any action or suit against the Fund, no execution or attachment of process in any nature thereof shall be issued against the Fund unless not less than three months' notice of the intention to execute or attach has been given to the Fund.
- (2) Any sum of money from the judgment of any court awarded against the Fund or any direction given by the court where no notice of appeal against the judgment has been given, shall be paid from the account of the Fund.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 19: Indemnity.

A member, the Executive Secretary or any employee of the Fund shall be indemnified out of the asset of the Fund against any liability incurred by him in defending any proceeding, whether civil or criminal, if any such proceeding is brought against him in his capacity as a member, Executive Secretary or employee of the Fund.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

PART VI — MISCELLANEOUS**Clause 20: Directives.**

Subject to the provisions of this Bill, the President may give to the fund directives of a general nature or relating generally to matters of policy with regard to the performance by the Fund of its functions and it shall be the duty of the Fund to comply.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

Clause 21: Direction by the Minister.

Subject to the provision of this Bill, the Minister may give to the Board directions of a general nature relating to matters of policy with regard to the exercise by the Board of its functions and the Board shall comply with such directions.

Amendment Proposed:

Immediately after the word "may" in line 1, leave out the word "give" and insert the word "issue" instead thereof (Senator Bala Ibn Na'allah — Kebbi South).

Question that amendment be made, put and agreed to.

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

Clause 22: Power to make Regulations.

The Minister may make regulations generally for the purpose of giving full effect to this Act.

Committee's Recommendation:

That the provision in Clause 22 be retained (Senator Abdullahi Adamu — Nasarawa West).

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

Clause 23: Fixing of Seal.

The fixing of the seal of the Fund shall be authenticated by the signature of the Executive Secretary and the Secretary.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senator Abdullahi Adamu — Nasarawa West).

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

Clause 24: Interpretation.

In this Bill —

"Board" means the Governing Board of the Fund established by section 2 of this Bill;

"Chairman" means the Chairman of the Board;

"Functions" includes power and duty;

"Fund" means the Fund established by section 1 (1);

"Executive Secretary" is the Chief Executive of the Fund and Chairman of the Management Committee;

"Member" means an individual representing an organization or institution in (the Board and includes the Chairman and Executive Secretary);

"Minister" means the Minister charged with responsibility for matters relating to Agriculture (Senator Abdullahi Adamu — Nasarawa West).

Amendment Proposed:

Insert a new interpretation as follows:

"Appropriate Financial Institutions" means as defined by the Banks and Other Financial

Institutions Act of 2020 as amended (*Senator Yusuf A. Yusuf — Taraba Central*).

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

Clause 25: Short Title.

This Bill may be cited as the National Agricultural Development Fund (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Abdullahi Adamu — Nasarawa West*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO
THE PROCEEDINGS OF THE BOARD

1. Before appointing a person as a member, the Minister shall satisfy himself that, such a person will have no interest or owe such allegiance that may likely be prejudicial to the discharge of his functions as a member.

Any person whom the Minister nominates as a member shall perform his duties as specified under this Bill.
2. (1) Subject to this Bill and Section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the persons presiding to have a second or casting vote), the Board may make standing orders regulating its proceedings or of any committee thereof.

(2) The quorum at a meeting shall be one third of the members of the meeting
3. The Board shall meet not less than three times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so, by notice to him of not less than seven members, he shall summon a meeting of the Board to be held within seven days from the date on which the notice is given.
4. Where the Board wishes to obtain the advice of any person on any particular matter, the Board may invite any person as it thinks fit, but any person who is invited by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
5. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.

(2) Every Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and not more than one third of those persons may be persons who are not members of the Board.

(3) A decision of a Committee of the Board shall be of no effect until it is ratified by the Board.
6. (1) Where a member has an interest in any application for loan for any project

made or proposed by any beneficiary, such member shall disclose his interest at a meeting of the Board.

- (2) Such disclosure shall be recorded in the minute of the meeting and the member shall not take part after such disclosure in any deliberation or decision of the Board with regard to that particular subject matter in respect of which his interest was disclosed.

Question that the provision in this schedule stand part of the bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agriculture and Rural Development on a Bill for An Act to Establish the National Agricultural Development Fund; and for Related Matters, 2021 and approved as follows:

Clause 1	—	As Recommended
Clause 2	—	As Amended
Clauses 3-6	—	As Recommended
Clause 7	—	As Amended
Clauses 8-9	—	As Recommended
Clauses 10-11	—	As Amended
Clauses 12-20	—	As Recommended
Clause 21	—	As Amended
Clause 22-23	—	As Recommended
Clause 24	—	As Amended
Clause 25	—	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 (Senate Leader).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

8. Joint Committee on Communications; and Ethics, Privileges & Public Petitions:

Report of the Joint Committee on Communications; and Ethics, Privileges & Public Petitions:

Motion made: That the Senate do receive and consider the Report of the Joint Committee on Communications; and Ethics, Privileges and Public Petitions in respect of Alhaji Bashir Abdullahi and five (5) others against MTN Group Limited and Airtel Nigeria for alleged unbearable noise and discomfort caused by telecommunication Mast mounted at No. 20, Oke-Agbe Street, Garki, Abuja (Senator Oluremi S. Tinubu — Lagos Central).

Question put and agreed to.

Report laid and presented.

Debate:

Proposed Resolution (i):

Question: That while the intention of the Joint Committee is mainly to ensure sustainable development but not to impede businesses, it is our opinion that the safety and quality of human lives should be of primary consideration and cannot be compromised. Also, considering the lack of consensus among the scientific community as to health effects of Radio Frequency (RF) on humans, the Joint Committee hereby recommends that the mast at No. 20, Oke-Agbe Street, Garki, Abuja be removed forthwith and relocated to a safer and more environment friendly site — *Agreed to.*

Proposed Resolution (ii):

Question: That IHS should proceed to obtain necessary Environmental Impact Statement (EIS) from the Federal Ministry of Environment in compliance with NESREA's requirement especially before commencing the installation of its masts at subsequent locations — *Agreed to.*

Resolved:

- (i) That while the intention of the Joint Committee is mainly to ensure sustainable development but not to impede businesses, it is our opinion that the safety and quality of human lives should be of primary consideration and cannot be compromised. Also, considering the lack of consensus among the scientific community as to health effects of Radio Frequency (RF) on humans, the Joint Committee hereby recommends that the mast at No. 20, Oke-Agbe Street, Garki, Abuja be removed forthwith and relocated to a safer and more environment friendly site; and
- (ii) That the Senate do urge IHS to proceed to obtain necessary Environmental Impact Statement (EIS) from the Federal Ministry of Environment in compliance with NESREA's requirement especially before commencing the installation of its masts at subsequent locations (*S/Res/083/02/21*).

9. University Teaching Hospitals (Reconstitution of Boards, etc) Bill, 2021 (SB. 648):

Motion made: That a Bill for an Act to amend the University Teaching Hospitals (Reconstitution of Boards, etc) Act Cap U15 LFN 2004 and for Related Matters, 2021 be read the Second Time (*Senator Aishatu A. Dahiru — Adamawa Central*).

Debate:

Question put and agreed to.

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

10. Families of Fallen Servicemen Support Fund (Establishment) Bill, 2021 (SB. 345):

Motion made: That a Bill for an Act to Establish the Families of Fallen Servicemen Support Fund and for Other Related Matters, 2021 be read the Second Time (*Senator Patrick A. Moro — Benue South*).

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.

11. Clean Nigeria Agency (Establishment) Bill, 2021 (SB. 652):

Motion made: That a Bill for an Act to Establish the Clean Nigeria Agency for the purpose, among others to prohibit open urination/open defecation in order to keep Nigeria Clean and Diseases Free, 2021 be read the Second Time (*Senator Clifford A. Ordia — Edo Central*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Water Resources to report within four (4) weeks.

12. Police Service Commission Act 2001 (Amendment) Bill, 2021 (SB. 580):

Motion made: That a Bill for an Act to amend the Police Service Commission Act 2001 to strengthen it for effective oversight of the Nigeria Police Force and for Other Related Matters, 2021 be read the Second Time (*Senator Emmanuel Bwacha — Taraba South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Police Affairs to report within four (4) weeks.

13. Court of Appeal Act, 2013 (Amendment) Bill, 2021 (SB. 670):

Motion made: That a Bill for an Act to amend the Court of Appeal Act, 2013 by increasing the number of Justices of the Court of Appeal from Ninety to One Hundred and Ten and for Other Related Matters, 2021 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 Judiciary, Human Rights and Legal Matters to report within four (4) weeks.

14. Federal College of Forestry Wawa Zange, Dukku, Gombe State (Establishment) Bill, 2021 (SB. 308):

Motion made: That a Bill for an Act to Establish the Federal College of Forestry Wawa Zange, Dukku, Gombe State to provide full-time courses in forestry technology and development to improve genetic resources of forest trees and ecosystem for economic development and applied science management and other fields of studies and for Related Matters, 2021 be read the Second Time (*Senator Saidu A. Alkali — Gombe North*).

Extension of Time:

Motion made: That the Senate do sit this day beyond the time appointed for the termination of the Sitting of the Senate (Order 13) (*Senate Leader*).

Question put and agreed to.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Tertiary Institutions and TETFUND; and Agriculture and Rural Development to report within four (4) weeks.

15. Motions:

- (a) *Urgent need to investigate the economic and security implication of an unregulated Nigerian retail sector and also consider appropriate legislative measures to incentivize and protect indigenous retail traders:*

Motion made: The Senate notes that the Nigerian retail sector remains unregulated with dire economic and security implications;

recalls that since Nigeria's independence, particularly between 1960s and 1970s, organized retail outlets in Nigeria's first-tier cities such as Lagos, Kaduna, Kano, Port Harcourt were operated exclusively by large multi-national retail outlets chains like Leventis, UTC, Lennards, Bata, Chellarams, and Kingsway;

observes that while foreign dominance of organized retail business in Nigeria reduced in the late 1980s and 1990s due to the negative impact of the Structural Adjustment Programme, collapse of the local manufacturing sector, loss of jobs by citizens and consequent disappearance of the middle class, recent surveys show that foreign investors currently dominate retail investment in Nigeria;

observes further that apart from offering employment to Nigerian citizens and providing revenue to government in terms of taxes, the Nigerian retail business landscape has other immense economic and security implication which calls for ideal policy and regulatory measures that would attract the needed foreign investment to our economy and at the same time incentivize and protect indigenous retail business investors;

aware that while many African countries including ECOWAS Member States such as Ghana have policy and legislative measures in place to offer minimum protection to indigenous retail traders, in the case of Nigeria, however, extant policy and legal framework at both national and subregional levels do not offer any minimum protection to indigenous retail business operators. For instance while section 27 of the Ghanaian Investment Promotion Centre (GIPC) Act, 2013 does not prohibit foreigners from investing in any aspect of the Ghanaian economy, the GIPC goes further to specify economic activities that are "wholly reserved" for Ghanaian citizens namely "sale of goods or provision of services in a market, petty trading or hawking or selling of goods in a stall at any place";

observes that unlike section 27 of the GIPC Act which exempt foreigners from certain retail activities and further provides minimum protection to indigenous Ghanaian retail traders against foreigners, sections 17 and 18 of the Nigerian Investment Promotion Commission Act prohibit both foreigners and Nigerian citizens from engaging in certain economic activities including retail of products from such business activities without any special incentive or protection to Nigerian citizens;

observes further that apart from the provisions of the NIPC Act which fails to offer any special protection to indigenous retail traders, the ECOWAS Protocol on Free Movement of Persons, Right of Residence and Establishment further complicates the fate of the indigenous retail traders by guaranteeing citizens of ECOWAS Member States free entry of their citizens and residence without visa for 90 days and this Protocol was ratified by all ECOWAS Member States including Nigeria, in 1980;

notes that the implication is that while the organized retail business in Nigeria made up of multiple branch supermarkets/franchises, mega supermarkets/shopping malls etc is dominated by foreigners such as Labenese, Chinese, Indians through their popular retail outlets such as Shoprite, Panda, SPAR, The Game etc, the traditional or open market retail trade which includes roadside retailers, those who operate in stalls, open markets,

streets, congested streets and traffic jams is also opened to itinerant migrants retail traders from ECOWAS Member States such as Niger, Benin Republic, Ghana, Cameroun, Mali etc, who are often seen selling wares along streets, road pavements, uncompleted buildings with serious security implication for Nigeria;

concerned that if no measures are taken by government to foster the growth and expansion of the indigenous retail traders, extant policy and legal framework at national and subregional levels may not offer clarity in terms of the incentives and protections available to them even as foreigners continue to dominate the Nigerian retail trade landscape; and

notes that there is need for the Senate to intervene by investigating the propriety or otherwise of extant policy and legal framework on retail trade in Nigeria bearing in mind that if no investment is made by indigenous retail business investors in organized retail infrastructure, Nigerians may wake up one day to face the withdrawal of these dominant foreign retail outlets with devastating impact on our economy in terms of loss of jobs, loss of revenue and taxes and without formidable indigenous retail outlets to step into the void created by exiting foreign retail outlets.

The Senate accordingly resolves to:

- (i) mandate the Committee on Trade and Investment to engage the Ministry of Trade and Investment and other relevant stakeholders with a view to receiving briefing on the extant policy and legal framework on retail trade in Nigeria and the protection offered to indigenous retail investors and to report within two weeks;
- (ii) urge the Federal Government to review extant policy and legal framework that have not offered any incentives or protection to indigenous retail business investors, and in this regard adopt appropriate incentives that will attract investments in the Nigerian organized retail infrastructure;
- (iii) urge governments at all levels to put in place acceptable measures to protect traditional or open market retailers to avoid contravention of environmental and health safety standards, promote revenue collection and prevent harassment and constant disruption of retail trade activities by government revenue collectors or environmental and health enforcement officers; and
- (iv) urge the Nigerian Immigration Service to closely monitor the activities of citizens of ECOWAS Member States who are engaged in informal retail trades in our open markets, kiosks, uncompleted buildings and other informal retail market platforms to prevent a situation where some of them do not become a major threat to our national security (*Senator Ifeanyi P. Ubah — Anambra South*).

Debate:

Proposed Resolution (i):

Question: The Senate do mandate the Committee on Trade and Investment to engage the Ministry of Trade and Investment and other relevant stakeholders with a view to receiving briefing on the extant policy and legal framework on retail trade in Nigeria and the protection offered to indigenous retail investors and to report back within two weeks — *Agreed to.*

Proposed Resolution (ii):

Question: The Senate do urge the Federal Government to review extant policy and legal framework that have not offered any incentives or protection to indigenous retail business investors, and in this regard adopt appropriate incentives that will attract investments in the Nigerian organized retail infrastructure — *Agreed to.*

Proposed Resolution (iii):

Question: The Senate do urge governments at all levels to put in place acceptable measures to protect traditional or open market retailers to avoid contravention of environmental and health safety standards, promote revenue collection and prevent harassment and constant disruption of

retail trade activities by government revenue collectors or environmental and health enforcement officers — *Agreed to.*

Proposed Resolution (iv):

Question: The Senate do urge the Nigerian Immigration Service to closely monitor the activities of citizens of ECOWAS Member States who are engaged in informal retail trades in our open markets, kiosks, uncompleted buildings and other informal retail market platforms to prevent a situation where some of them do not become a major threat to our national security — *Agreed to.*

Resolved:

That the Senate do:

- (i) mandate the Committee on Trade and Investment to engage the Ministry of Trade and Investment and other relevant stakeholders with a view to receiving briefing on the extant policy and legal framework on retail trade in Nigeria and the protection offered to indigenous retail investors and to report back within two weeks;
- (ii) urge the Federal Government to review extant policy and legal framework that have not offered any incentives or protection to indigenous retail business investors, and in this regard adopt appropriate incentives that will attract investments in the Nigerian organized retail infrastructure;
- (iii) urge governments at all levels to put in place acceptable measures to protect traditional or open market retailers to avoid contravention of environmental and health safety standards, promote revenue collection and prevent harassment and constant disruption of retail trade activities by government revenue collectors or environmental and health enforcement officers; and
- (iv) urge the Nigerian Immigration Service to closely monitor the activities of citizens of ECOWAS Member States who are engaged in informal retail trades in our open markets, kiosks, uncompleted buildings and other informal retail market platforms to prevent a situation where some of them do not become a major threat to our national security (*S/Rés/084/02/21*).

(b) Election Violence in Ekiti - Need to Eschew Restraint:

Motion made: The Senate notes that Ekiti East Constituency 1 seat became vacant following the death of Mr. Juwa Adegbuyi of All Progressives Congress in the State House of Assembly;

notes that the electoral body fixed the bye election for last week Saturday, 20th March, 2021;

aware that the exercise which commenced on a good note in a peaceful and orderly manner was suddenly disrupted at noon when hoodlums invaded the polling centres to snatch ballot boxes;

aware also that in the process no fewer than three persons were feared dead and many others injured in Omuo Ekiti, Ekiti East Local Government Area of Ekiti State;

concludes that no election is worth the blood of any Nigerian as democracy is the

government of the people and the people should be allowed to make their choices through their votes.

The Senate accordingly resolves to:

- (i) observe a minute silence for the victims;
- (ii) urge the Federal Government to ensure the safety of Electoral Officials, Security Personnel and election materials during elections;
- (iii) urge the Inspector General of Police to order a full scale investigation of the violence with a view to apprehend and bring to book the perpetrators of the dastardly act; and
- (iv) urge the National Assembly to accelerate the passage of the Electoral Act (Amendment) Bill currently before it to forestall future occurrences (*Senator Biodun C. Olujimi — Ekiti South*).

Debate:

Proposed Resolution (i):

Question: That the Senate do observe a minute silence for the victims — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Government to ensure the safety of Electoral Officials, Security Personnel and election materials during elections — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Inspector General of Police to order a full scale investigation of the violence with a view to apprehend and bring to book the perpetrators of the dastardly act — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge the National Assembly to accelerate the passage of the Electoral Act (Amendment) Bill currently before it to forestall future occurrences.

Amendment Proposed:

Immediately after the word "Bill" in line 2, insert the words "and the Electoral Offences Commission Bill" (*Senator Abubakar S. Kyari — Borno North*).

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

"urge the Federal Government to set up a Judicial Panel of Inquiry to investigate the crisis at the House of Assembly election in Omuo Ekiti, Ekiti State" (*Senator Nicholas O. Tofowomo — Ondo South*).

Resolved:

That the Senate do:

- (i) observe a minute silence for the victims;
- (ii) urge the Federal Government to ensure the safety of Electoral Officials, Security Personnel and election materials during elections;
- (iii) urge the Inspector General of Police to order a full scale investigation of the violence with a view to apprehend and bring to book the perpetrators of the dastardly act;

- (iv) urge the National Assembly to accelerate the passage of the Electoral Act (Amendment) Bill and the Electoral Offences Commission Bill currently before it to forestall future occurrences; and
- (v) urge the Federal Government to set up a Judicial Panel of Inquiry to investigate the crisis at the House of Assembly election in Omuo Ekiti, Ekiti State (*S/Res/085/02/21*).

One minute silence accordingly observed in honour of the victims.

- (c) *The Killings of Security Personnel across Anambra State on Thursday, 18th and Friday, 19th March, 2021.*

Consideration of Motion deferred to another Legislative Day.

- (d) *Urgent need to remove the difficulty faced by Nigerians outside the shores of Nigeria in renewing their Passports.*

Motion made: The Senate notes with utmost concern the hardships faced by Nigerians in renewing their passports and travel documents outside the shores of Nigeria;

notes further that worst hit by these unacceptable hardships are Nigerians in the United States of America, Canada, Italy, the UK and Austria. This is not to say that other countries of the world where huge number of Nigerians reside do not experience this malaise;

informed that in the United States of America for example, there are only four centers (one in each of four states) where Nigerians can renew their passports and they are: Washington DC; Atlanta; New York and California. That only four centers serve the whole of the United States is enough problem in itself until we have to consider the fact that Nigerians in the remaining forty six states in the US have to travel to the center closest to them or sometimes to a center cheaper in monetary terms to access;

informed further that because of the facts in the preceding paragraph, some Nigerians are on the road for days un-end to the renewal centers from their places of residence - a situation which affects their jobs, finances and even safety of life. All of the passport renewal applicants spend months trying to renew expired passports. The only ones who get speedy attention are those that pay to the middlemen or directly to the embassy officials;

holds that some States in the United States are bigger than some countries of the world in both population and land mass and as such one center cannot serve the needs of Nigerians in them without recourse to renewal by post;

holds further that it is apprised of the fact that Nigerians are made to physically present at these renewal centers to be able to renew their passport. The reason given for requiring physical presence is that applicants need to be captured electronically for the new passport. This excuse is not tenable since fresh capturing should not be demanded of someone who already has his captured bio-data in the database;

aware that in some or all of the renewal centers, there exist middlemen who are either working with or for officials of the Nigerian Embassies. This is especially true of renewal centers in the US and Italy as videos of this practice are awash on social media. In all the cases, these middlemen are not Nigerians and demand for money from Nigerians to book for them, a capture (interview) date with officials of the embassy;

aware further that visa issuance, passport renewal and several other services rendered by the Nigerian Embassies in many countries of the world have been turned into rackets by Nigerian officials and their foreign partners who connive to make life unbearable for their kinsmen that they were employed to serve. Payment for the renewal is done by using credit/debit cards of the holder or owner only for himself or herself. Payment for the children or any other family member is done using money order and this money order has to be sent by post. This has recorded missing money orders and other hardships to parents and guardians;

agrees that this development is unacceptable and must be discouraged forthwith for very obvious reasons;

agrees further that the Nigerian image abroad is already bastardized and these practices are contributory since they have been going on for quite some time now;

believes that unless urgent steps are taken now and decisively, everything we believe in as a nation and have worked for and continue to work to achieve will be undermined. Nigerians just cannot continue to treat fellow Nigerians the way even foreigners should not be treated;

believes more intently that Nigerian embassies officials cannot feign ignorance of the hardships faced by Nigerians, the existence of middlemen and the inadequacy of number of renewal centers. These were all deliberately created by embassies officials to oil the wheels of the passport/visa racketeering;

contends that one of the ways to stop the hardship is if renewal by post is introduced and pursued with the diligence that it requires; and

contends further that the cleanup of the rot in our country must begin from somewhere and in all decency, there is no better place to start than in our foreign missions abroad where we are in the face of the world.

The Senate accordingly resolves to:

mandate the Committees on Interior; and Foreign Affairs to engage the Ministers of both the Interior and Foreign Affairs; the Comptroller General of Immigration with Ambassadors/Consular Officers of the countries specifically mentioned to consider amongst other measures:

- Making it possible to renew passports and travel documents abroad by post;
- Increasing the number of centers where passports can be renewed abroad;
- Removing the existence of middlemen; and
- To hold regular and or periodic assessment of the activities of Nigeria's Foreign Missions (*Senator Matthew A. Urhohide — Edo South*).

Debate:

Proposed Resolution:

Question: That the Senate do mandate the Committees on Interior; and Foreign Affairs to engage the Ministers of both the Interior and Foreign Affairs; the Comptroller General of Immigration with Ambassadors/Consular Officers of the countries specifically mentioned to consider amongst other measures:

- Making it possible to renew passports and travel documents abroad by post;
- Increasing the number of centers where passports can be renewed abroad;
- Removing the existence of middlemen; and
- To hold regular and or periodic assessment of the activities of Nigeria's Foreign Missions — *Agreed to.*

Resolved:

That the Senate do mandate the Committees on Interior; and Foreign Affairs to engage the Ministers of both the Interior and Foreign Affairs; the Comptroller General of Immigration with Ambassadors/Consular Officers of the countries specifically indicted to consider amongst other measures:

- Making it possible to renew passports and travel documents abroad by post;
- Increasing the number of centers where passports can be renewed abroad; and
- Removing the existence of middlemen; and
- To hold regular and or periodic assessment of the activities of Nigeria's Foreign Missions (*S/Res/086/02/21*).

16. **Adjournment:**

And it being 2:39 p.m. the President of the Senate adjourned the Senate till Tuesday, 13th April, 2021 at 10.00 a.m.

Adjourned accordingly at 2:39 p.m.

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

CORRIGENDA

In the Votes and Proceedings of Tuesday, 23rd March, 2021 item 3 is amended as follows:

- (i) *Leave out* the word "fifteen" and figure "15" on page 1575 and *insert* the word "sixteen" and figure "16" instead thereof.
- (ii) *Leave out* the serial no. "13" on page 1576 and renumber accordingly.

