



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 9th November, 2021

1. The Senate met at 10:55 a.m. The President of the Senate read prayers.
2. Votes and Proceedings:
The Senate examined the Votes and Proceedings (2) of Wednesday, 13th October, 2021.
Question was put and the Votes and Proceedings were approved.
3. **Message from Mr. President:**
The President of the Senate announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Confirmation of Appointment:



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

29th October, 2021

*Distinguished Senator Ahmad Ibrahim Lawan
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF
PROFESSOR AYO C. OMOTAYO, PH.D AS DIRECTOR GENERAL,
NATIONAL INSTITUTE FOR POLICY AND STRATEGIC STUDIES
(NIPSS)**

In accordance with the provision of Section 5(2) of the National Institute for Policy and Strategic Studies Act, 2004, I write to present for confirmation by the Senate, the appointment of Professor Ayo C. Omotayo, as Director General, National Institute for Policy and Strategic Studies (NIPSS). The nominee's CV is attached herewith.

It is my hope that the Senate will consider and confirm the nominee in the usual expeditious manner.

Please accept, Distinguished Senate President, the assurances of my highest consideration.

*Yours sincerely,
(Signed)
Muhammadu Buhari*

4. **Announcements:**

(a) **All Progressives Congress (APC) Caucus Meeting:**

The President of the Senate read a letter from *Senator Yahaya A. Abdullahi (Kebbi North)* as follows:



**SENATOR YAHAYA A. ABDULLAHI
(SENATE LEADER)**

9th November, 2021

*President of the Senate,
National Assembly,
Abuja.*

ANNOUNCEMENT

There will be a meeting of the Senate APC caucus at Hearing Room One, National Assembly, Abuja, immediately after Plenary today, 9th November, 2021.

Please endeavour to attend.

*(Signed)
Sen. Yahaya A. Abdullahi
Senate Leader*

(b) **Wedding Invitation:**

The President of the Senate read a letter from *Senator Christopher S. Ekpenyong (Akwa-Ibom North West)* as follows:



**His Excellency
SENATOR (OBONG) CHRIS EKPENYONG**
Akwa-Ibom North-West Senatorial District
Vice Chairman, Senate Committee on Water Resources

October 18, 2021

*His Excellency
President of the Senate
Senate of the Federal Republic of Nigeria
Three Arms Zone, Abuja*

**INVITATION TO THE WEDDING CEREMONY OF MY SON
EMMANUEL CHRISTOPHER EKPENYONG**

It is my pleasure to invite Your Excellency and all Distinguished Senators to the Solemnization of Holy Matrimony between my son, Emmanuel Christopher Ekpenyong and his fiancée, Endurance Samuel Umoren scheduled to hold as follows:

Date: Saturday, December 18, 2021
Venue: Immaculate Conception Catholic Parish Abiakpo Nkap
Obot Akara Local Government Area Akwa Ibom State
Time: 10:00a.m. prompt

While looking forward to your esteemed presence at this milestone event of my family, please accept the assurances of my warmest regards.

*Yours sincerely,
(Signed)
Senator Christopher Ekpenyong Ph.D, FNSE, FNIM*

(c) Thanksgiving Church Service:

The President of the Senate read a letter from Senator Chukwuka G. Utazi (Enugu North) as follows:



SENATOR CHUKWUKA UTAZI
Enugu North Senatorial District

Chairman, Senate Committee on Primary Healthcare & Communicable Diseases
Vice Chairman, Senate Committee on National Security and Intelligence

November 8, 2021

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

Dear Sir,

**CHURCH THANKSGIVING AND RECEPTION MARKING MY 60TH BIRTHDAY AND
SILVER JUBILEE WEDDING ANNIVERSARY:**

May I, on behalf of my beloved wife, Dr. Mrs Uchenna and Enugu North Senatorial District that I am representing, invite the Leadership and Members of the 9th Senate to my Thanksgiving Church Service holding at Church of Assumption Parish, Asokoro on Sunday 14th November, 2021 by 9:00am, and thereafter to a reception at IBETO HOTELS, GUDU DISTRICT, ABUJA.

The Senate accordingly resolves to:

urge the Inspector-General of Police to as a matter of urgency direct a special investigation into the circumstances surrounding the whereabouts of the missing journalist Tordue Salem.

Debate:

Proposed Resolution:

Question: That the Senate do urge the Inspector-General of Police to as a matter of urgency direct a special investigation into the circumstances surrounding the whereabouts of the missing journalist Tordue Salem — *Agreed to.*

Resolved:

That the Senate do urge the Inspector-General of Police to as a matter of urgency direct a special investigation into the circumstances surrounding the whereabouts of the missing journalist Tordue Salem (*S/Res/035/03/21*).

10. Presentation of Bills:

- (i) National Agency for Ethics, Values and Integrity Compliance (Establishment) Bill, 2021 (SB. 834) — *Read the First Time.*
- (ii) National Building Code Bill, 2021 (SB. 840) — *Read the First Time.*
- (iii) In-Vitro Fertilization Bill, 2021 (SB. 841) — *Read the First Time.*
- (iv) Federal Orthopaedic Centre Patigi, Kwara State (Establishment) Bill, 2021 (SB. 843) — *Read the First Time.*
- (v) National Coast Guard (Establishment) Bill, 2021 (SB. 844) — *Read the First Time.*

11. Report on Conference Committee:

Electoral Act No. 6, 2010 (Repeal & Re-enactment) Bill, 2021 (SB. 122):

Motion made: That the Senate do receive and adopt the Conference Committee Report on the Electoral Act No. 6, 2010 (Repeal & Re-enactment) Bill, 2021 (*Senator Yahaya A. Abdullahi*):

Question put and agreed to.

Report Laid and presented.

Report accordingly adopted.

12. Committee on National Planning and Economic Affairs:

Report on the Confirmation of the Nomination of Hon. Abdulazeez Idris King and Engr. Mohammed Sani Baba for Appointment as Commissioners representing Kogi and Bauchi States in the Revenue Mobilization Allocation and Fiscal Commission:

Motion made: That the Senate do receive and consider the Report of the Committee on National Planning and Economic Affairs on the confirmation of the nomination of Hon. Abdulazeez Idris King and Engr. Mohammed Sani Baba for appointment as Commissioners representing Kogi and Bauchi States in the Revenue Mobilization Allocation and Fiscal Commission (*Senator Olubunmi A. Adetunmbi — Ekiti North*).

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 COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on National Planning and Economic Affairs on the confirmation of the nomination of Hon. Abdulazeez Idris King and Engr. Mohammed Sani Baba for appointment as Commissioners representing Kogi and Bauchi States in the Revenue Mobilization Allocation and Fiscal Commission.

Nominees recommended for confirmation:

- | | | |
|----|--|---------------------|
| 1. | Hon. Abdulazeez Idris King (<i>Commissioner</i>) | — <i>Agreed to.</i> |
| 2. | Engr. Mohammed Sani Baba (<i>Commissioner</i>) | — <i>Agreed to.</i> |

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 National Planning and Economic Affairs on the confirmation of the nomination of Hon. Abdulazeez Idris King and Engr. Mohammed Sani Baba for appointment as Commissioners representing Kogi and Bauchi States in the Revenue Mobilization Allocation and Fiscal Commission and approved the nominations.

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

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Hon. Abdulazeez Idris King for appointment as Commissioner representing Kogi State in the Revenue Mobilization Allocation and Fiscal Commission?” — *Resolved in the Affirmative.*

Nomination of Hon. Abdulazeez Idris King for appointment as Commissioner representing Kogi State in the Revenue Mobilization Allocation and Fiscal Commission accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Engr. Mohammed Sani Baba for appointment as Commissioner representing Bauchi State in the Revenue Mobilization Allocation and Fiscal Commission?” — *Resolved in the Affirmative.*

Nomination of Engr. Mohammed Sani Baba for appointment as Commissioner representing Bauchi State in the Revenue Mobilization Allocation and Fiscal Commission accordingly confirmed.

13. Committee on Health (Secondary & Tertiary):

Report on the Federal Medical Centre Deba, Gombe State (Establishment) Bill, 2021 (SB. 382):

Motion made: That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on the Federal Medical Centre Deba, Gombe State (Establishment) Bill,

2021 (*Senator Hassan I. Hadejia — Jigawa North-East*)

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.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE A LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL MEDICAL CENTRE DEBA, GOMBE STATE AND FOR RELATED MATTERS, 2021.

Clause 1: Establishment Federal Medical Centre Deba, Gombe State.

(1) There is established the Federal Medical Centre Deba (in this Bill referred to as "the Medical Centre").

{Second Schedule}

(2) The Medical Centre:

(a) shall be a body corporate;

(b) may sue and be sued in its corporate name;

(c) shall have perpetual succession and a common seal.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 2: Establishment of the Board of Management of the Medical Centre.

There is established for the management of the Medical Centre a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 3: Membership of the Board.

(1) The Board shall consist of:

(a) a Chairman;

(b) the Medical Director of the Medical Centre;

(c) the Head of Clinical Services;

- (d) the Director of Administration; who shall be the Secretary of the Board;
 - (e) three persons nominated by the Minister to represent a wide variety of community interests in health matters;
 - (f) one representative of the Federal Ministry of Health;
 - (g) one representative of the medical profession not being a person who is a member of Federal Medical Centre Deba;
 - (h) one representative from allied health professionals; not being a staff of Federal Medical Centre Deba;
 - (i) One representative of Gombe State Ministry of Health;
- (2) The Chairman and members of the Board, other than ex-officio members, shall be:
- (a) appointed by the President; and
 - (b) be persons of proven integrity and ability.
- (3) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein.

{Schedule}

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 4: Tenure of Office.

Subject to the provisions of section 5 of this Bill, a member of the Board, other than ex-officio members, shall each hold office:

- (a) for a term not exceeding fours (4) years;
- (b) on such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 5: Cessation of Membership.

- (1) Notwithstanding the provisions of section 4 of this Act a person shall cease to hold office as a member of the Board if:
 - (a) he becomes bankrupt, suspends payment of principal loan with his creditors;

- (b) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) he becomes of unsound mind or is incapable of carrying out his duties;
 - (d) he is guilty of a serious misconduct in relation to his duties; or
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
 - (f) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same Interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centre or the interest of the public that the member continues in office.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 6: Allowances of Members.

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

PART II - FUNCTIONS AND POWERS OF THE BOARD, ETC.

Clause 7: Functions of the Board.

- (1) The Board shall:
 - (a) equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment;
 - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary;

- (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Centre.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.
- (3) Subject to this Act, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Act.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 8: Powers of the Board.

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programs of the Medical Centre;
- (b) manage and superintend the affairs of the Medical Centre;
- (c) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (d) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 9: Medical Director of the Medical Centre.

- (1) There shall be for the Medical Centre a Medical Director who shall be appointed by the President on the recommendation of the Board and on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Medical Director shall:
 - (a) be the Chief Executive and Accounting Officer of the Medical Centre;
 - (b) be responsible to the Board for the day-to-day administration of the Medical Centre;

- (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
- (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
- (e) have considerable administrative experience in matters of health;
- (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 10: Appointment of Directors and other staff of the Medical Centre.

- (1) The Board shall appoint for the Medical Centre:
 - (a) a Director of Administration, who shall:
 - (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre;
 - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre; and
 - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
 - (b) a Director of Clinical Services;
 - (c) a Director of Finance;
 - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
- (3) The Board shall appoint for the Medical Centre such number of employees as may in the opinion of the Board be expedient and necessary for the proper and efficient performance of the functions of the Medical Centre.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Centre either directly or on secondment from any public service in the Federation, such

number of employees as may, in the opinion of the Board, be required to assist the Medical Centre in the discharge of any of its functions under this Act.

- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of the employees of the Medical Centre shall be as determined by the National Salaries Income and Wages Commission.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 11: Service in the Medical Centre to be Pensionable.

- (1) Service in the Medical Centre shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centre shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 12: Establishment of the Medical Advisory Committee, etc.

- (1) There shall be for the Medical Centre a Medical Advisory Committee which shall:
 - (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
 - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centre; and
 - (c) be appointed by the Board.
- (2) Subject to this Act, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due

regard to the approved personnel establishment of the Medical Centre.

- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Chief Medical Director may assign to such consultants.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

PART IV - FINANCIAL PROVISIONS

Clause 13: Fund of the Medical Centre.

There shall be established and maintained for the Medical Centre a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centre by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and
- (e) all other sums which may, from time to time, accrue to the Medical Centre.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 14: Expenditure of the Medical Centre.

The hospital shall, from time to time, apply the funds at its disposal to

- (a) the cost of administration and maintenance of the Medical Centre;
- (b) publicize and promote the activities of the Medical Centre;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Centre;

- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centre; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Act.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 15: Power to Accept Gifts.

- (1) The Medical Centre may accept gifts 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 Medical Centre shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Medical Centre under this Act.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 16: Annual Estimates and Expenditure.

- (1) The Board shall, not later than 30th September in each year, submit to the Minister an estimate of the expenditure and income of the Medical Centre during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 17: Annual Report.

The Board shall prepare and submit to the Minister, not later than 30th June in each year, a report in such form as the Minister may direct on the activities of the Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centre for that year and the auditor's report thereon.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 18: Power to Borrow.

- (1) The Medical Centre may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Act.
- (2) The Medical Centre shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (I) of this section, where the sum to be borrowed is in foreign currency, the Medical Centre shall not borrow the sum without the prior approval of the President.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 19: Exemption from Tax.

- (1) The Medical Centre shall not pay income tax on any income derived by the Federal Medical Centre under this Act or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 20: Exemption from Customs Duties, Etc.

The Medical Centre shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Centre for the purposes of this Bill.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

PART V - GENERAL

Clause 21: Discipline of Students.

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Centre has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified;
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Medical Centre.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
- (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.
- (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Centre otherwise than on the ground of misconduct.
- (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
- (6) Nothing in this Act shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 22: Removal and Discipline of Clinical, Administrative and Technical Staff.

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Centre, other than the Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:

- (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter to the Board; and
 - (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
 - (i) a committee to investigate the matter and report on it to the Board; and
 - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Medical Director is prejudicial to the interest of the Medical Centre, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
- (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
- (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);

- (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Act for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
- (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 23: Discipline of Junior Staff.

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 months and shall direct a Committee to:
- (a) consider the case; and
 - (b) make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section of this Act, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.

- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

PART VI - MISCELLANEOUS

Clause 24: Regulations.

- (1) The Board may, with the approval of the President, make regulations
 - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
 - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 25: Power to Give Directives.

The President may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Act, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Act.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) —
Agreed to.

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

Clause 26: Transition and Savings Provision.

- (1) On the commencement of this Act, any person employed by or serving in, the Medical Centre shall be deemed to have been employed or serving in the Medical Centre established under this Act.
- (2) All Assets or liabilities belonging to the Medical Centre shall be deemed to belong to the Medical Centre established under this Act.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 27: Interpretation

In this Bill, unless the context otherwise requires -

"Board" means the Board of Management of the Medical Centre;

"Chairman" means the chairman of the Board;

"Functions" include powers and duties;

"Junior staff" means staff of such grade as may be determined, from time to time, by the Board;

"Minister" means the Minister charged with responsibility for matters relating to health;

"Ministry" shall be construed accordingly;

"Student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

Clause 28: This Bill may be cited as the Federal Medical Centre Deba, Gombe State (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Hassan I. Hadejia — Jigawa North-East*) — Agreed to.

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

SCHEDULES
FIRST SCHEDULE

Proceedings of the Board

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting and 3 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 5 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance 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.

Committees

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the Committee in accordance with the terms of his appointment.
- (3) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

4. (1) The fixing of the seal of the Medical Centre shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Medical Centre by the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
- (3) A document purporting to be a document duly executed under the seal of the Medical Centre shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

5. The validity of any proceedings of the Board or of a Committee shall not be adversely affected by:
- (a) a vacancy in the membership of the Board or Committee;
 - (b) a defect in the appointment of a member of the Board or Committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee.

Question that the Provision in the First Schedule stand part of the bill — Agreed to

SECOND SCHEDULE

[Section 1 (1)]

Federal Medical Centres

1. Federal Medical Centre, Abeokuta
2. Federal Medical Centre, Abuja
3. Federal Medical Centre, Asaba
4. Federal Medical Centre, Azare
5. Federal Medical Centre, Bida
6. Federal Medical Centre, Birni-Kebbi
7. Federal Medical Centre, Birni-Kudu
8. Federal Medical Centre, Deba
9. Federal Medical Centre, Ebute-Meta
10. Federal Medical Centre, Gusau
11. Federal Medical Centre, Jalingo
12. Federal Medical Center, Katsina
13. Federal Medical Centre, Keffi
14. Federal Medical Centre, Lokoja
15. Federal Medical Center, Makurdi
16. Federal Medical Centre, Nguru
17. Federal Medical Centre, Owerri
18. Federal Medical Centre, Owo
19. Federal Medical Centre, Umuahia
20. Federal Medical Centre, Yenagoa

Question that the Provision in the First Schedule stand part of the bill — 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 Health (Secondary & Tertiary) on the Federal Medical Centre Deba, Gombe State; and for Related Matters, 2021 and approved as follows:

- | | | |
|---------------|---|----------------|
| Clauses 1-28 | — | As Recommended |
| Schedules 1-2 | — | 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.

14. **National Centre for the Coordination and Control of the Proliferation of Small Arms and Light Weapons (Establishment) Bill, 2021 (SB. 794):**

Motion made: That a Bill for an Act to Establish a National Centre for the Coordination and Control of the Proliferation of Small Arms and Light Weapons in Nigeria and for other related matters, 2021 be read the Second Time (*Senate Leader*).

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on National Security and Intelligence to report within four (4) weeks.

15. **National Metallurgical Training Institute Onitsha (Establishment) Bill, 2021 (SB. 770):**

Consideration of Bill deferred to another Legislative Day.

16. **FCT Area Courts Bill, 2021 (HB. 67) - Concurrence:**

Consideration of Bill deferred to another Legislative Day.

17. **Defence Research and Development Bureau Bill, 2021 (HB. 1176) - Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. **Chartered Institute of Treasury Management (Establishment) Bill, 2019 (HB. 57) - Concurrence:**

Consideration of Bill deferred to another Legislative Day.

19. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 10th November, 2021 at 10.00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:04 p.m.

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