



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 28th September, 2021

1. The Senate met at 10:45 a.m. The President of the Senate read prayers.
2. Votes and Proceedings:
The Senate examined the Votes and Proceedings of Wednesday, 22nd September, 2021.

Question was put and the Votes and Proceedings were approved as amended.

3. **Messages from Mr. President:**
The President of the Senate announced that he had received two (2) letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(a) **Confirmation of Appointment:**



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

6th September, 2021

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

Dear Distinguished Senate President,

**CONFIRMATION OF APPOINTMENT OF ENGR. MOHAMMED SANI BABA AS
FEDERAL COMMISSIONER FOR REVENUE MOBILIZATION, ALLOCATION &
FISCAL COMMISSION REPRESENTING BAUCHI STATE**

In accordance with the provision of Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I write to forward, for confirmation by the Senate, the appointment of Engr. Mohammed Sani Baba as Commissioner Representing Bauchi State, in the Revenue Mobilization Allocation and Fiscal Commission. The nominee's CV is attached herewith.

It is my hope that the Distinguished 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

(b) **Confirmation of Appointment:**



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

14th September, 2021

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

Dear Distinguished Senate President,

CONFIRMATION OF APPOINTMENT OF COMMISSIONERS TO FILL VACANCIES
AT THE INDEPENDENT CORRUPT PRACTICES AND OTHER RELATED
OFFENCES COMMISSION

In accordance with the provision of Section 3(6) of the Corrupt Practices and Other Related Offences Act, 2000, I write to forward, for confirmation by the Senate, the appointment of the underlisted nominees, as Commissioners Representing the South-West, South-South, North-East and South East at the Independent Corrupt Practices and Other Related Offences Commission (ICPC). Their CV's are attached herewith.

<u>S/No.</u>	<u>Name</u>	<u>Zone</u>	<u>State</u>
1.	<i>Dr. (Mrs.) Mojisola Yaya-Kolade</i>	<i>South-West</i>	<i>Ekiti</i>
2.	<i>Anne Otelafu Odey (Mrs.)</i>	<i>South-South</i>	<i>Cross River</i>
3.	<i>Alh. Goni Ali Gujba</i>	<i>North-East</i>	<i>Yobe</i>
4.	<i>Dr. Louis Solomon Mandama</i>	<i>North-East</i>	<i>Adamawa</i>
5.	<i>Senator Anthony O. Agbo</i>	<i>South-East</i>	<i>Ebonyi</i>

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

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

Yours sincerely,
(Signed)
Muhammadu Buhari

killed by bandits at Gangara village in Sabon-Birni Local Government Area of Sokoto State. He sought and obtained the leave of the Senate to present the matter.

Matter to stand over to the next Legislative Day [Order 42(2)].

6. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Aliyu S. Abdullahi (Niger North) drew the attention of the Senate to the Deplorable State of Federal Roads in Niger State. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with disbelief and shock the very ugly scene playing out in Niger State in February and since 24th September, 2021 in which heavy trucks and tanker drivers blocked all entry and exits roads to protest the horrible state of the roads passing through the State;

recall that Niger State has the longest Federal roads network of 2,263 Kilometres out of a total of 32,000 km. The Federal roads in Niger State stretches from the Abuja-Kaduna end to the Jebba-Mokwa-Makera-Tegina-Birnin Gwari-Kaduna road to the Mokwa-New Bussa-Agwara-Kigera end which lies to the border with the Republic of Benin. Overall, the following are critical linkage roads within Niger State that provide logistical and vehicular movements between the North and South; especially the South West and the North West economic corridors:

- Zungeru - Tegna road - 34 km
- Bida Zungeru road - 92 km
- Minna Western Bye Pass road - 13.5 km
- Tegna - Kaduna road - 80 km
- Bokani - Tegna road - 115 km
- Wawa - Kaiama road - 65 km
- Zungeru - Minna - Lambatta road - 143 km
- Kontagora - Ibeto - Yauri road - 80 km
- Kontagora - Tegna road - 100 km
- Mokwa - New Bussa (Kainji Dam) Road - 100 km
- Mokwa Junction - Bida road - 122 km
- Bida - Lapai - Lambatta road - 125 km
- Lambatta Junction - Madalla road - 42 km
- Zuba - Kaduna road - 60Km
- Jebba - Mokwa - Bokani road - 100 km
- Bokani - Makera - Kontagora road - 86 km
- Rofia - Swate - Segbana (Benin Republic border) road - 121 km
- Wawa - Rofia Road - 150 km
- Kainji Dam - New Bussa - Wawa Road - 32 km
- Kontagora - Rijau - Kebbi Road - 113 km
- Agaie - Katcha - Baro - FCT Border road - 85 km
- Ibeto - Auna - New Warrah - Kebbi road - 75 km
- Minna - Shiroro Dam road - 60KM
- Kontagora - matachibu - Kotonkoro road - 111 km
- Bida - Sacci - Nupeko Road - 52 km
- Gwada - Sarki Pawa - Kaduna road - 63 km

aware that the massive land area of Niger State at 76,363 km² (representing about 9 percent of the total land area of the country), all movements from North to South substantially traverse the State.

4. Petitions:

- (i) Rising on Order 41, Senator Albert B. Akpan (*Akwa Ibom North-East*) drew the attention of the Senate to a petition from Alcamo International Limited against Samsung Heavy Industries Group (SHI) and Keston Consultancies Limited (Keston) over an alleged case of breach of contract. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.

- (ii) Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:

- (a) Engr. Emma Aghede against the Management of the National Assembly Service Commission over an alleged withdrawal and denial of his 2017 promotion, for the position of Assistant Director (Mechanical Engineering);
- (b) Jemiluyi Samuel Esq., on behalf of Warrant Officer Lawan Usman against Saidu Abubakar and two (2) others, over alleged fraudulent acts;
- (c) A.A. Malik, SAN on behalf of Mr. Oscar Alberto Pineiro against the Federal Government of Nigeria over alleged non payment of the principal sum and accrued interest in respect of the Federal Republic of Nigeria (FRN) Government Promissory Notes;
- (d) Mr. Tobeche Chigbu against the Nigerian Army over the alleged extra-judicial murder of Mr. Noel Ezeribe Chigbu by officers of the Nigerian Army on 30th April, 2021; and
- (e) Ntoe Effiom Edet Etim Omin against the Department of Chieftaincy Affairs, Governor's Office, Cross Rivers State over alleged critical human rights abuses, manipulating and falsifying of vital documents, fraudulent practices and underhand dealings by the Department;

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.

- (iii) Rising on Order 41, Senator Matthew A. Urhoghide (*Edo South*) drew the attention of the Senate to a petition from Comrade J.E.A. Obasuyi (JP), Rtd. Assistant General Secretary of the Nigeria Union of Public Service, Reportorial, Secretarial, Data Processor and Allied Workers (NUPSRAW), against the National President of NUPSRAW, Comrade Y.Y. Yashi over alleged stoppage of his monthly pension since March, 2018. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.

5. Matter of Urgent Public Importance:

Rising on Order 42, Senator Ibrahim A. Gobir (Sokoto East) drew the attention of the Senate to the unfortunate incident that took place on Saturday, 25th September, 2021 where fifteen (15) soldiers, three (3) Mobile Policemen, three (3) Civil Defence Personnel and several civilians were

Indeed, the massive haulage of heavy industrial, goods such as petroleum products, iron rods, cement, finished manufactured goods, machines and equipment, electronic materials and goods, building materials etc, in which trucks and tankers are overloaded, puts great pressure on the roads and thus are seriously devastating to the state of the roads. cursory observation and reports indicate that many trucks and tankers are loaded with up to 90,000 tonnes of goods and all vehicles are consistently loaded well above their approved tonnage.

alarmed that all the major link roads have totally failed resulting in accidents occurring on a daily basis with loss of lives, goods and vehicles. A development that angered the trucks and tanker drivers to begin the protest as the only available alternative route to exit the State is the Bida-Minna road which is currently undergoing construction. This road itself is a failed road with many portions that cannot withstand any heavy truck movement as it is;

further alarmed that the only road portion that is substantially motorable is the Mokwa Junction - Bida road which is itself under intense pressure by the heavy duty haulage activities of trucks and tankers and may not last two years under the current scenario. The Kontagora-Yauri road is also motorable but hard to reach, hence the pressure on State roads;

disturbed that the current rate of funding of Federal roads in the State is unfortunately dismal and cannot deliver which has led to many of the projects abandoned by contractors. The result is continuous pressure on the few good ones. Indeed, it is very sad that the main trunk road from Jebba-Mokwa-Tegina-Kaduna has been completely abandoned even though contracts have been awarded for the Jebba-Tegina sections 1 and 2 since 2018 without sufficient funds to even mobilise the contractors. This is true also for Makera-Kontagora-Yauri which has been awarded since 2013; Bida-Lapai-Lambatta awarded since 2018 but due to poor funding stalled the work. The massive accidents and losses on this road were responsible for the current blockade in the State;

agrees that new ways and means for funding infrastructure in Nigeria must be seriously considered while also strengthening enforcement in the issues of excess weight load by trucks and tankers considering that over 90 percent of haulage of heavy goods are by road transport; pending when the ongoing train projects are delivered to ease the pressure; and

further agrees that the current blockade had seriously affected economic activities in the country with heavy losses suffered by investors and entrepreneurs. It is therefore, important that urgent and emergency measures are put in place to forestall further occurrence while also considering a legislative roundtable on the state of transport infrastructure and institutional strengthening to support the economic diversification efforts and growth of the Nigerian economy.

The Senate accordingly resolves to:

- (i) ✓ urge the Federal Government to declare a state of emergency on the critical roads in Niger State linking economic corridors in the North and South;
- (ii) urge the Federal Government to direct the Federal Ministry of Works to carry out emergency stabilization of the failed portions of Bida-Lapai-Lambatta road to ease the current suffering, rate of accidents and loss of goods and investments on the road;
- (iii) urge the Federal Government to consider an Emergency Intervention Fund for the critical roads in Niger State to the tune of ₦300 billion to concurrently fix the roads as part of the infrastructure rehabilitation efforts of the government to support ease of business and economic recovery across the country; and

- (iv) convoke a National Legislative Roundtable on the State of Infrastructure for Economic Development which will bring all critical stakeholders in the transport and logistics industries together with a view to identifying urgent actions to address the current challenges.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government to declare a state of emergency on the critical roads in Niger State linking economic corridors in the North and South — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Government to direct the Federal Ministry of Works to carry out emergency stabilization of the failed portions of Bida-Lapai-Lambatta road to ease the current suffering, rate of accidents and loss of goods and investments on the road — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Federal Government to consider an Emergency Intervention Fund for the critical roads in Niger State to the tune of ₦300 billion to concurrently fix the roads as part of the infrastructure rehabilitation efforts of the government to support ease of business and economic recovery across the country — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do convoke a National Legislative Roundtable on the State of Infrastructure for Economic Development which will bring all critical stakeholders in the transport and logistics industries together with a view to identifying urgent actions to address the current challenges — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Government to declare a state of emergency on the critical roads in Niger State linking economic corridors in the North and South;
- (ii) urge the Federal Government to direct the Federal Ministry of Works to carry out emergency stabilization of the failed portions of Bida-Lapai-Lambatta road to ease the current suffering, rate of accidents and loss of goods and investments on the road;
- (iii) urge the Federal Government to consider an Emergency Intervention Fund for the critical roads in Niger State to the tune of ₦300 billion to concurrently fix the roads as part of the infrastructure rehabilitation efforts of the government to support ease of business and economic recovery across the country; and
- (iv) convoke a National Legislative Roundtable on the State of Infrastructure for Economic Development which will bring all critical stakeholders in the transport and logistics industries together with a view to identifying urgent actions to address the current challenges (*S/Res/020/03/21*).

7. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Olalekan R. Mustapha (Ogun East) drew the attention of the Senate on the need to embark on emergency repairs of badly damaged roads and bridges affected by heavy downpours across the country. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes the recent heavy rainfall experienced across the country in the months of August and September have caused severe damages to roads and bridges in different areas across the country;

further notes that no zone is spared from the North to the South is a tale of woes. Bridges and culverts have been submerged. Roads have been washed away, and accesses to villages, towns and cities across the Nation have been cut off due to the inaccessibility of the affected roads and bridges;

worried that this existential threat is posing a danger to human safety and causing significant disruption to both economic and social activities;

also worried that motorists are enduring untold hardship and the security of lives and properties of Nigerians are no longer guaranteed; and

therefore deems it very important, as a matter of urgency, for the Ministry of Works and Housing to immediately commence emergency repairs on the worst affected roads and bridges nationwide.

The Senate accordingly resolves to:

- (i) urge the Ministry of Finance, Budget and National Planning to release funds to the Ministry of Works and Housing for emergency repairs on all the badly affected roads and bridges nationwide; and
- (ii) urge the Ministry of Works and Housing to immediately commence emergency repair works on all the badly affected roads and bridges nationwide.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Ministry of Finance, Budget and National Planning to release funds to the Ministry of Works and Housing for emergency repairs on all the badly affected roads and bridges nationwide — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Ministry of Works and Housing to immediately commence emergency repair works on all the badly affected roads and bridges nationwide — *Agreed to.*

Resolved:

That the Senate do:

- (i) ✓ urge the Ministry of Finance, Budget and National Planning to release funds to the Ministry of Works and Housing for emergency repairs on all the badly affected roads and bridges nationwide.
- (ii) urge the Ministry of Works and Housing to immediately commence emergency repair works on all the badly affected roads and bridges nationwide (*S/Res/020/03/21*).

8. Presentation of Bills:

- (i) Cybercrimes (Prohibition, Prevention, etc) Act 2015 (Amendment) Bill, 2021 (SB.561) — *Read the First Time.*
- (ii) Arbitration and Conciliation Act, Cap A18 LFN 2004 (Amendment) Bill, 2021 (SB.564)

— *Read the First Time.*

- (iii) Federal University of Agriculture and Environmental Sciences Aboh, Imo State (Establishment) Bill, 2021 (SB. 783) — *Read the First Time.*
- (iv) Community Health Practitioners (Registration) Act, Cap C19 LFN 2004 (Amendment) Bill, 2021 (SB. 795) — *Read the First Time.*
- (v) Self-Employment Funding and Social Security Guarantee Bill, 2021 (SB. 813) — *Read the First Time.*

9. **Committee on Health (Secondary & Tertiary):**

Report on the Federal Medical Centre Owutu-Edda (Establishment) Bill, 2021 (SB. 295):

Motion made: That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on the Federal Medical Centre Owutu-Edda (Establishment) Bill, 2021 (*Senator Yahaya I. Oloriegbe — Kwara 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 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL MEDICAL CENTRE OWUTU EDDA AND FOR RELATED MATTERS, 2021

Clause 1: Establishment of Federal Medical Centre Owutu Edda.

- (1) There is hereby Upgraded the General Hospital Owutu Edda to a Federal Medical Centre Owutu Edda in this Bill referred to as "the Federal Medical Centre").
- (2) The Medical Centre -
 - (a) is 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 Yahaya I. Oloriegbe — Kwara Central*) — *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 hereby 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Chief Medical Director of the Medical Centre;
 - (c) the Director of Clinical Services;
 - (d) the Director of Administration who shall be the Secretary of the Board;
 - (e) a representative of the President;
 - (f) the Federal Ministry of Health;
 - (g) the Nigerian Medical Association;
 - (h) the Pharmaceutical Society of Nigeria;
 - (i) the National Association of Nigerian Nurses and Midwives;
 - (j) one person to represent public interest;
- (2) The chairman and members of the Board, other than ex-officio members, shall be:
 - (a) appointed by the President; and
 - (b) persons of proven integrity and ability.
- (3) The supplementary provisions set out in the Schedule to this Act 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Act, a member of the Board, other than ex-officio members, shall each hold office:

- (a) for a term of three years in the first instance and may be re-appointed for

a further term of three years and no more; and

- (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 Yahaya I. Oloriegbe — Kwara Central*) —
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 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 Yahaya I. Oloriegbe — Kwara Central*) —
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 Yahaya I. Oloriegbe — Kwara Central*) —
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 for providing the Medical Centre at all times with a proper staff of the Medical Centre technicians and nurses;
 - (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 Yahaya I. Oloriegbe — Kwara Central*) —
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 programmes of the Medical Centre;
- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centre;

- (d) subject to the provisions of this Act, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centre subject to the approval of National Salaries Incomes and Wages Commission;
- (f) 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 Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

PART III - STAFF OF THE MEDICAL CENTRE

Clause 9: Medical Director of the Medical Centre.

- (1) There shall be for the Medical Centre a Chief 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 Chief 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 single term of five years only;
 - (d) be a person who is a qualified and licensed health professional with relevant postgraduate qualification and experience in administration and shall have been so qualified for a period of not less than 15 years;
 - (e) have considerable administrative experience in matters of health; and
 - (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Chief Medical Director.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — 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 Chief 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 Chief 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; and
 - (e) Director of Medical Laboratory Services.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — *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 Yahaya I. Oloriegbe — Kwara Central*) — *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 Chief 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.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) —
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 Yahaya I. Oloriegbe — Kwara Central*) —
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 Yahaya I. Oloriegbe — Kwara Central*) —
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 Yahaya I. Oloriegbe — Kwara Central*) —
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 30 September in each year, submit to the President through the Secretary to the Government of the Federation 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 Yahaya I. Oloriegbe — Kwara Central*) —
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 President, not later than 30 June in each year, a report in such form as the President 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 (1) 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Chief 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 Chief Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Chief 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Chief 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 Chief 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 Chief 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 Chief 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Yahaya I. Oloriegbe — Kwara Central*) — 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 Yahaya I. Oloriegbe — Kwara Central*) —
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 Yahaya I. Oloriegbe — Kwara Central*) —
Agreed to.

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

Clause 27: Interpretation.

In this Act, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre;

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

"Chairman" means the chairman of the Board;

"Functions" include powers and duties;

"Federal Medical Centre" means the Medical Centre Owutu Edda;

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

"Medical Student" means a student whose course of instruction is:

(a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or

(b) designed for the further training of medical practitioners;

"Minister" means the Minister charged with the responsibility for matters relating to health and "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 Yahaya I. Oloriegbe — Kwara Central*) —
Agreed to.

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

Clause 28: Short Title.

This Bill may be cited as the Federal Medical Centre Owutu Edda (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

SCHEDULE

[Section 3 (3).]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board.

1. (1) Subject to this Act 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 5 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 8 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 Chief 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 Chief 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.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered Report of the Committee on Health (Secondary & Tertiary) on the Federal Medical Centre Owutu-Edda (Establishment) Bill, 2021 and approved as follows:

Clauses 1 - 28 — 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.

10. Copyright Act, Cap C28 LFN 2004 (Repeal and Re-enactment) Bill, 2021 (SB. 769):

Motion made: That A Bill for an Act to Repeal the Copyright Act Cap C28 LFN 2004 and to Re-enact the Copyright Act, and for Matters Connected Therewith, 2021 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

11. **Electric Power Sector Reform Act, 2005 (Repeal and Re-enactment) Bill, 2021 (SB. 511):**
Motion made: That A Bill for an Act to Repeal the Electric Power Sector Reform Act, 2005, consolidate the laws relating to the Nigerian Electricity Supply Industry and Enact the Electricity Act, to provide a comprehensive legal and institutional framework for the post privatization phase of the power sector in Nigeria and for Related Matters, 2021 be read the Second Time (*Senator Gabriel T. Suswam — Benue North East*).

Debate:

Question put and agreed to.

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

12. **Federal University Gusau Teaching Hospital (Establishment) Bill, 2021 (SB. 640):**
Motion made: That A Bill for an Act to provide for the Establishment of the Federal University Gusau Teaching Hospital and for Other-Connected Matters Therein, 2021 be read the Second Time (*Senator Ya'u S. Alhaji — Zamfara North*).

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.

13. **Federal College of Education, Ekiadolor, Edo State (Establishment) Bill, 2021 (SB. 800):**
Motion made: That A Bill for an Act to Establish the Federal College of Education, Ekiadolor, and for Other Related Matters, 2021 be read the Second Time (*Senator Matthew A. Urhoghide — Edo South*).

Debate:

Question put and agreed to.

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

14. **Motions:**
(a) ***Urgent need to encourage all Multinational and Nigerian Oil and Gas Companies to relocate to their Operational Bases:***
Motion made: That the Senate notes with concern that multinational and Nigerian oil and gas companies have over the years been operating from their respective operational bases until militancy and insecurity in the host communities in the Niger Delta became the order of the day;

also notes that the reason proffered by the oil and gas companies for not relocating to their host communities has always been due to insecurity and hostilities in the host communities;

aware that operating outside the host communities and operational base is the reason for the high cost of production which has been the bane of the country's oil and gas industry, militating against maximum revenue from crude oil and gas sales to the Federation Account;

recalls that this high cost of production has been one of the most contentious elements of our petroleum industry value chain;

convinced that the recent passage and signing into law of the Petroleum Industry Act (PIA), 2021 by the National Assembly and the President of the Federal Republic of Nigeria respectively, is a major milestone towards the restoration of a lasting peace in the host communities;

further convinced that the Petroleum Industry Act, 2021 now places certain responsibilities on the security, peace and safety of oil and gas infrastructure on the host communities to safeguard and ensure peaceful co-existence between oil and gas companies and their host communities;

further convinced that there exist an opportunity to restore, recover and rehabilitate the massive and huge infrastructural facilities abandoned by the various oil and gas companies in their various operational bases to ensure their full utilization; and

assured that the relocation of these companies to their host communities will further boost development in those areas and enhance the corporate social relationship and strengthen our collective resolve to drastically reduce the contentious cost of production and ensure adequate returns to the federation account.

The Senate accordingly resolves to:

mandate its Joint Committee on Petroleum Resources (Upstream); Downstream Petroleum Sector; and Gas to liaise with the Ministry of Petroleum Resources and the Presidential Implementation Committee on the Petroleum Industry Act (PIA), to facilitate the relocation of the oil and gas companies in Nigeria to their various operational bases to ensure their smooth operations (*Senator Albert B. Akpan — Akwa Ibom North-East*).

Debate:

Proposed Resolution:

Question: That the Senate mandate its Joint Committee on Petroleum Resources (Upstream); Downstream Petroleum Sector; and Gas to liaise with the Ministry of Petroleum Resources and the Presidential Implementation Committee on the Petroleum Industry Act (PIA), to facilitate the relocation of the oil and gas companies in Nigeria to their various operational bases to ensure their smooth operations — *Agreed to.*

Resolved:

That the Senate mandate its Joint Committee on Petroleum Resources (Upstream); Downstream Petroleum Sector; and Gas to liaise with the Ministry of Petroleum Resources and the Presidential Implementation Committee on the Petroleum Industry Act (PIA), to facilitate the relocation of the oil and gas companies in Nigeria to their various operational bases to ensure their smooth operations (*S/Res/022/03/21*).

(b) *Urgent need to conduct investigation on allegation of Fake COVID-19 Test Result being used to defraud Nigerians in Ghana and the obtainment of Fake COVID-19 Vaccination Cards:*

Motion made: That the Senate *recalls* that the COVID-19 infection declared as a pandemic by the World Health Organization (WHO) in February 2020 is still ravaging the world;

aware that in the absence of a definitive cure for the COVID-19 infection, the main stance of management are the COVID-19 vaccinations and the observance of non-pharmaceutical prevention methods; use of hand sanitizers/hand washing, use of face mask and social distancing;

aware also that in the early stages of the pandemic the socio-economic life were shut down in many countries with the consequence of closure of borders and air travels;

further aware that with the improved understanding of the epidemiology of the disease, countries opened up their borders and economy with the enforcement of compliance to negative COVID-19 testing and various quarantine conditions instituted by the countries;

notes that while the global roll-out of COVID-19 vaccinations continues to accelerate, it's worth remembering that only around 1% of the world's population have received their full course of injections. Billions are still waiting for their first dose, which inevitably leads those people to question exactly when they will get it. Especially as plans are being made internationally to allow those that have been vaccinated, or can prove they have had a recent negative test, the freedom to travel to other countries, attend large-scale events, take a new job, and more;

notes also that there's a strong and growing demand for vaccinations and test results because of the greater freedoms they will give to people. Also, there will always be people who don't want to wait for their official vaccination, or for an official negative test result - and shady people willing to service that demand;

further notes that there is a serious allegation that the Ghanaian authorities are diagnosing Nigerians who travel to their country of testing positive for COVID even after testing Negative in Nigeria;

observes that the Ghanaian Authorities, usually, commit Nigerians who visit their country to isolation for two weeks and are made to pay about seventy thousand Naira per day;

observes also that this allegation was exposed following a visit by a Nigerian artiste, Bella Slimuda, who was told in Ghana that he had COVID-19 even after testing negative at a facility in Nigeria. He rejected the result and insisted that it was a fake result. He was kicked out of Ghana by the authorities and he proceeded to United States, where his test result on arrival came out negative;

worried that Nigerians travelling to Ghana or through Ghana lamented that they are made to pay almost one million naira while in isolation;

further worried that most of the Nigerians travelling to Ghana or through Ghana have alleged that the Ghanaian authorities have made them targets for the purpose of making money;

concerned that if this allegation is not properly investigated and addressed, the exploitation

will continue thereby unlawfully taking away the resources of Nigerians in this global economic recession; and

worried that if the allegation of people obtaining and using fake COVID-19 vaccination cards to travel is not debunked, it may have negative consequence for Nigerians with genuine COVID-19 vaccination cards from travelling outside the country.

The Senate accordingly resolves to:

Mandate its Committees on Health (Secondary & Tertiary); Primary Healthcare and Communicable Diseases; and Foreign Affairs to conduct detailed investigations on the two allegations of fake COVID-19 test result being used to defraud Nigerians in Ghana and obtainment/use of fake COVID-19 vaccinations cards (*Senator Yahaya I. Oloriegbe — Kwara Central*).

Debate:

Proposed Resolution:

Question: That the Senate do mandate its Committees on Health (Secondary & Tertiary); Primary Healthcare and Communicable Diseases; and Foreign Affairs to conduct detailed investigations on the two allegations of fake COVID-19 test result being used to defraud Nigerians in Ghana and obtainment/use of fake COVID-19 vaccinations cards — *Agreed to.*

Resolved:

That the Senate do mandate its Committees on Health (Secondary & Tertiary); Primary Healthcare and Communicable Diseases; and Foreign Affairs to conduct detailed investigations on the two allegations of fake COVID-19 test result being used to defraud Nigerians in Ghana and obtainment/use of fake COVID-19 vaccinations cards (*S/Res/023/03/21*).

15. National Road Fund 2021 (HB. 367) - Concurrence:

Motion made: That A Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and for Other Related Matters, 2021 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into 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 ROADS FUND FOR THE PURPOSE OF FINANCING ROUTINE AND PERIODIC MAINTENANCE OF NATIONAL ROADS AND FOR OTHER RELATED MATTERS, 2021

Clause 1: Objectives.

The objectives of this Bill are to —

- (a) establish the National Roads Fund which shall be a repository of revenues accruing from road user related charges and other sources for financing which shall be managed and administered for routine and periodic maintenance works on roads and related matters in Nigeria;
- (b) provide predictable and sustainable funding for road maintenance in order to promote the sustainable development and management of the road network;
- (c) establish the Governing Board of the Roads Fund which shall be responsible for the management of the Roads Fund in accordance with the provisions of this Bill;
- (d) create an enabling environment for private sector participation, management and financing in the road sector.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 2: Application.

The provisions of this Bill shall apply to the funding, maintenance and administration of the road network in Nigeria.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 3: Establishment of the National Roads Fund.

- (1) There is established, a fund to be known as the National Roads Fund (in this Bill referred to as "the Roads Fund") which shall be a repository of revenues accruing from prescribed road user related charges and other sources for financing which shall be managed and administered for the routine and periodic maintenance of roads in Nigeria.
- (2) The Roads Fund shall —
 - (a) be a body corporate with perpetual succession and a common seal;
 - (b) have power to sue or be sued in its corporate name; and
 - (c) be capable of holding, purchasing, acquiring and disposing of property movable or immovable, for the purpose of carrying out its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Sources of the Roads Fund.

- (1) From the commencement of this Bill revenue accruing from all of the following sources shall be chargeable and paid into the Roads Fund as prescribed under the Second Schedule to this Bill -
 - (a) Fuel Levy on Imported Petroleum Products;
 - (b) Fuel Levy on Locally Refined Petroleum Products;
 - (c) Axle Load Control Charges;
 - (d) Toll Fees;
 - (e) International Vehicle Transit Charges;
 - (f) Inter-State Mass Transit User Charge;
 - (g) Roads Fund Surcharge;
 - (h) Lease, License or other Fees from Non-Vehicular Road Usages;
 - (i) grants and loans to the Roads Fund by the federal, state or local government, statutory corporations in the Federation, or any agency or institutions of any government, any international organization, or private foundation or any person whatsoever;
 - (j) gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided such terms and conditions are not inconsistent with the objectives of the Roads Fund under this Bill; and
 - (k) all other assets which may, from time to time, accrue to the Roads Fund.
- (2) In the interests of cost effectiveness, efficiency and transparency, the Roads Fund shall:
 - (a) put in place cost-effective, transparent and accountable arrangements for the collection of money falling due for payment into the Fund, such arrangements may include direct payment into the Roads Fund by the government agencies, or their agents, responsible for the collection of money from which money accruing to the Roads Fund is paid into the Roads Fund designated account; and
 - (b) notwithstanding arrangements put in place, incorporate an effective and efficient independent system for verifying amounts.
- (3) Any revenue accruing to the Roads Fund shall be payable into the designated Roads Fund account only and shall not be deemed to be revenue accruing or payable into the Consolidated Revenue Fund of the

Federation.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 5: Application of the Roads Fund.

- (1) The Roads Fund shall, in each year, before disbursement of the amount in the Roads Fund, set aside an amount not exceeding 3% of the total monies accruing to the Roads Fund in the preceding year (in this Bill referred to as "the Administrative Fund") for the purposes as stated under section 17 of this Bill.
- (2) The funds that shall accrue to the Roads Fund shall be disbursed to Statutory Federal, State and Local Government Road Agencies specifically for routine and periodic maintenance works on roads and the administration of a safe national road network in Nigeria.
- (3) The basis for the allocation and any formula for the disbursement of the Roads Fund shall be as determined by the Governing Board provided that it shall consider:
 - (a) the quality and cost effectiveness of the road asset management maintenance proposals;
 - (b) the extent of the road network;
 - (c) the specific maintenance or wear and tear requirements of any road;
 - (d) volume of vehicular use of road use;
 - (e) amount of revenue collected within and contributed by the State;
 - (f) demonstrated institutional performance and capacity in the executing Road Agency's functions for oversight and works delivery in line with the Roads Funds objectives and stipulations; and
 - (g) other socio-political and strategic connectivity priorities.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 6: Establishment of the Governing Board of Directors.

- (1) There is established for the management of the Roads Fund, a Governing Board (in this Bill referred to as "the Board") which shall control and determine the collection of accruable revenue, and oversee the administration, management, allocation and disbursement of the fund in accordance with the provisions of this Bill.

- (2) The Governing Board shall be an independent and autonomous body with exclusive responsibility to manage the Roads Fund in a diligent and transparent manner in accordance with the provisions of this Bill.
- (3) The Board shall consist of:
 - (a) a non-Executive Chairman who shall be appointed from the private sector;
 - (b) one representative from each of the following Ministries -
 - (i) Federal Ministry of Finance;
 - (ii) Federal Ministry responsible for roads;
 - (c) one representative from each of the following bodies -
 - (i) the Nigerian Association of Chambers of Commerce and Industry,
 - (ii) Nigerian Society of Engineers and the Nigerian Institution of Highway and Transportation Engineers jointly;
 - (iii) Petroleum Products Pricing and Regulatory Agency;
 - (iv) Federal Roads Maintenance Agency and or any relevant Agency in charge of roads maintenance;
 - (v) Nigerian Association of Road Transport Owners;
 - (vi) the Agency responsible for the marketing of petroleum products; and
 - (vii) the Nigerian Institute of Quantity Surveyors.
 - (d) one (1) person from a State Road Agency to be selected from each of the six (6) geopolitical zones, which shall be rotationally selected in an alphabetical order of state names within each zone, to represent the zone;
 - (e) the Managing Director who shall be appointed by the Board.
- (4) The Chairman and members of the Board other than the Managing Director shall be appointed by the President on the recommendation of the Ministry or body they represent.
- (5) Each Member of the Board shall be a person of recognized expertise and knowledge, with not less than ten (10) years cognate experience in one or more of the following fields -
 - (a) management;
 - (b) engineering;
 - (c) transport management technology;

- (d) law;
 - (e) finance;
 - (f) accountancy; or
 - (g) economics.
- (6) Apart from the Managing Director who shall be the Chief Executive Officer, all other members of the Board shall be non-executive and part-time.
- (7) The provisions of the First Schedule to this Bill shall regulate the proceedings of the Board and other matters in the Schedule.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 7: Tenure of Office of Members.

A member of the Board other than the Managing Director and the ex-officio members shall hold office -

- (a) for a term of four (4) years in the first instance and may be re-appointed for another term of four (4) years and no more; and
- (b) on such terms and conditions as may be specified in their letters of appointment.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 8: Allowances of Members.

The Members of the Board shall be paid such part time allowances, expenses and benefits as may be approved by the Federal Government in accordance with extant Laws and regulations.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 9: Cessation of Membership.

- (1) A member of the Board shall cease to hold office if such person -
 - (a) becomes bankrupt;
 - (b) is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) becomes of unsound mind or is incapable of carrying out his

- duties;
- (d) is guilty of a serious misconduct in relation to his duties;
 - (e) is disqualified or suspended from practicing his profession, in the case of a person possessed of professional qualifications by a court of law or the disciplinary committee of his professional body;
 - (f) resigns his appointment by a letter addressed to the President through the Chairman of the Board; or
 - (g) ceases to hold the office on the basis of which he is a member of the Board, in the case of an ex-officio member.
- (2) The President may remove a member from office if satisfied that his membership is no longer in the interest of the Roads Fund or the public.
 - (3) Where 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.
 - (4) A vacancy on the Board shall be filled by the appointment of another person by the President on the recommendation of the Ministry or body they represent as soon as is reasonably practicable after the occurrence of such a vacancy.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 10: Functions of the Board.

The Board shall -

- (a) put in place cost-effective, transparent and accountable arrangements for the collection of money falling due for payment into the Roads Fund and request for data, records from any agency, body, organization or person in order to ensure the accuracy of any assessment or remittance of money falling due for payments into the Roads Fund;
- (b) receive monies accruing to the Roads Fund;
- (c) administer and manage the Roads Fund;
- (d) coordinate and ensure total and timely accountability of all monies allocated or accruable to the Roads Fund;
- (e) receive information, records and data to determine quantities, volumes, frequency or any other information required from any of its sources of revenue;

- (f) disburse monies from the Roads Fund to the Road Agencies for financing approved road maintenance plan on road networks under their jurisdiction;
- (g) disburse monies from the Fund to such other beneficiaries, agencies, bodies persons or authorities that may be authorized under the provision of this Bill for the purpose of the maintenance and management of the national road network and the administration of the Fund;
- (h) retain the balance of money in the Roads Fund at the end of any given year after the disbursements specified under this Bill, as the Reserve Fund;
- (i) scrutinize and approve applications of the Roads Fund for road maintenance projects from Roads Agencies and other bodies and monitor expenditure to ensure prudent management, accountability and proper utilization of the Roads Fund for the purposes set out in this Bill;
- (j) establish the allocation criteria to disburse monies to the Road Agencies;
- (k) ensure transparency and accountability in the disbursement of money from the Roads Fund, prepare and publish annual reports and issue guidelines to the public on the criteria for accessing the Roads Fund;
- (l) make such rules as the Board may consider necessary for the effective administration and management of the Roads Fund;
- (m) prepare, publish and submit to the National Assembly through the Minister audited annual report of the Fund;
- (n) make policy recommendations to the Federal Government on matters relating to the national roads network financing;
- (o) advise and make recommendation to the Minister, agency or body responsible for finance on the funding policy and the level of road user charges and other forms of finance required for road maintenance programmes;
- (p) in consultation with the Federal Ministry responsible for roads, Road Agencies and other user representatives assess the allocation of financial resources required by the Road Agencies for the maintenance of the different classes of roads under the responsibility of the Road Agencies; and to determine the allocation of financial resources required for the maintenance of roads as well as for road safety management;
- (q) commission and act on regular financial and management audits undertaken on all entities enjoying the resources of the funds;
- (r) liaise with the Federal Road Safety Corps or any other body charged with matters relating to the provision of safe and sustainable road infrastructure or the collection of user fees and levies;

- (s) ensure compliance with national procurement, financial management and anticorruption regulation; and
- (t) carry out such other activities as the Board may consider necessary for the discharge of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 11: Powers of the Board.

- (1) In carrying out its functions, the Board shall -
 - (a) maintain its buildings and facilities necessary for the discharge of its functions under this Bill;
 - (b) accept, acquire and hold security of any kind; and
 - (c) invest, surrender, transfer, recover, exchange, discharge or in any manner, deal with the security held by the Board as a private individual can do.
- (2) The Board shall train the employees of the Roads Fund for the purpose of advancing their skills, knowledge and performance for cost effective and efficient operation of the Roads Fund.
- (3) The Board may delegate any of its functions in this or any other section of this Bill to any authority, or body established; to any person; or to any officer, employee or servant appointed in accordance with the provisions of this Bill, to act as its agent for the execution, performance or supervision of such functions as may be delegated.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 12: Appointment of the Managing Director.

- (1) There shall be for the Roads Fund a Managing Director.
- (2) Managing Director who shall -
 - (a) be appointed by the president on the recommendation of the Board from the private sector;
 - (b) possess a degree and cognate experience of not less than fifteen (15) years in at least any one of the following fields: management, engineering, transport management technology, law, finance, accountancy or economics;
 - (c) be the Chief Executive and Accounting Officer of the Roads Fund; and

- (d) hold office for a term of four (4) years in the first instance and may be reappointed for a further term of four (4) years and no more.
- (3) The Managing Director shall subject to the direction of the Board, be responsible for -
 - (a) the day to day administration and facilitation of the Board; excisions of the Board;
 - (b) the administration of the secretariat of the Board; and
 - (c) the general direction and control of all other employees of the Roads Fund.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 13: Removal of the Managing Director.

- (1) The Managing Director may in addition to the conditions prescribed in Section 9 (1) be suspended or removed from office by the Board if he has -
 - (a) demonstrated inability to effectively perform the duties of his; or
 - (b) been absent from three (3) consecutive meetings of the Board without the consent of the Chairman unless he shows good reasons for such absence.
- (2) Where the Managing Director is unable to perform the functions of his office due to temporary incapacity, which exceeds 3 months, the Board may appoint a substitute to act as the Managing Director.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 14: Appointment of the Legal Adviser.

There shall be for the Roads Fund a Legal Adviser who shall -

- (a) be appointed by the Board;
- (b) be the Secretary to the Board; and
- (c) possess a degree in law with a minimum of ten (10) years post call experience.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 15: Other Staff.

- (1) The Roads Fund shall employ directly, or by transfer or secondment from any civil service or public service of the Federation such number of employees as may in the opinion of the Board be necessary to assist the Board and the Managing Director in the performance of their functions under this Bill.
- (2) The terms and conditions of service of employees of the Roads Fund shall be as may be determined by the Board from time to time.
- (3) The Board shall have power to establish and review from time to time market-oriented criteria for establishing the remuneration of the members of staff of the Roads Fund in accordance with extant laws and regulations.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 16: Pension.

- (1) The service in the Roads Fund shall be approved service for the purpose of the Pension Reforms Act and accordingly officers and other employees of the Roads Fund shall be entitled to pensions and other retirement benefits as prescribed under the Pensions Act in force.
- (2) The provision of subsection (1) of this section shall not prevent the appointment of a person to any office on terms, which may preclude the grant of a pension, gratuity or other retirement benefits in respect of that office.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 17: Application of the Administrative Fund.

The Roads Fund shall apply the Administrative Fund specified in section 5 of this Bill -

- (a) to the administration of the Roads Fund;
- (b) to the payment of allowances and benefits of members of the Board and for reimbursing members of the Board or of any Committee set up by the Board for such expenses as may be expressly authorized by the Board;
- (c) to the payment of the salaries, fees or other remuneration, allowances and other benefits payable to the officers and other employees of the Roads Fund;
- (d) for the development and maintenance of any property vested in or owned by the Fund;
- (e) to such capital expenditure as the Board may deem necessary from time

to time;

- (f) to the management and administration of the Roads Fund, including audit expenses, research, data collection and data management associated with the implementation of the Roads Fund and;
- (g) for such other payment in connection with all or any of its functions as stipulated under this Bill.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 18: Statement of Estimated Income and Expenditure.

- (1) The Roads Fund shall not later than four (4) months to the end of a financial year, prepare and present to the National Assembly through the President for approval a statement of estimated income and expenditure for the following financial year.
- (2) The Board shall ensure that in any financial year, the expenditure and commitments of the Roads Fund does not exceed the Administrative Fund.
- (3) Where, in exceptional circumstances, the Roads Fund and any surplus income brought forward from a previous year, is insufficient to meet the actual or estimated liabilities of the Roads Fund, the Minister may make advances to the Roads Fund in order to meet the deficiency or any part thereof and such advances shall be made on such terms and conditions, whether as to repayment or otherwise, as the Minister responsible for Finance may determine.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 19: Books and Records of Accounts.

- (1) The Roads Fund shall keep proper records of books and other records of account in respect of its operations including receipts and expenditure of the Roads Fund and the Administrative Fund in accordance with generally acceptable principles of accounting.
- (2) The accounts of the Roads Fund shall be audited by Auditors to be appointed annually by the Governing Board of the Roads Fund from the list of auditors and guidelines prepared by the Auditor-General for the Federation and in accordance with International Financial Reporting Standards applicable in Nigeria.
- (3) The Roads Fund shall submit to the National Assembly through the Minister not later than 30th June in each financial year, a report of its activities and implementation performance during the preceding year,

which shall include a copy of the audited accounts of the Roads Fund for that year and a copy of the auditor's report.

- (4) Auditors appointed pursuant to subsection (2) of this section shall have access to all accounts and other records relating to such accounts which are kept by the Roads Fund or its agents and shall have the power to require from any member of the Board or employee or agent of the Roads Fund such information and explanation as in the Auditors opinion are necessary for the purpose of the audit including records, documents and papers of the Roads Fund relating directly or indirectly to the receipt or payment of money made by the Fund or to the acquisition, receipt, custody or disposal of assets by the Roads Fund.
- (5) The Auditor shall on the completion of the audit of the accounts of each financial year prepare and submit to the Board a report setting out his observations and recommendations on all aspects of the accounts of the Board; and the Board shall forward a copy of the report to the Minister.
- (6) A member of the Board, employee or agent of the Roads Fund who fails without reasonable cause to comply with a request or instruction of an Auditor pursuant to subsection (4) of this section commits an offence and liable on conviction to a fine not less than one million Naira (₦1,000,000.00).

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 20: Audit and Accounts.

- (1) The Roads Fund shall, within three (3) months after the end of each financial year, furnish the Minister with -
 - (a) a copy of the audited accounts of the Roads Fund and the Administrative Fund, prepared by a reputable external auditing firm;
 - (b) a copy of the general report and full report of the external Auditor; and
 - (c) an Annual Report detailing -
 - (i) the state of affairs of the Roads Fund for the financial year and including any change in the Reserve Fund arising from the activities of the Board during the year;
 - (ii) the performance of the Road Fund, its agents and beneficiaries in the collection, allocation and utilization of the Fund and its impact on the performance and condition of the national road network; and
 - (iii) opportunities and constraints impacting upon the Board's performance and the actions proposed for addressing them.

- (2) All sums received for the purpose of the Roads Fund shall be paid into one or more banking accounts at such bank or banks as the Board may determine, and no amount shall be withdrawn therefrom except under the authority of the Board and by means of cheques or other financial instruments or procedures as are authorized in that regard by the Board.
- (3) The signatories to the account(s) referred to in subsection (2) of this section shall be the Head of Finance and Accounts, and one other officer of sufficient seniority.
- (4) The balance of the revenue accruing to the Roads Fund in any financial year shall be applied for the purpose of creating the Reserve Fund or such other reserve as the Board may from time to time approve to fund future planned road maintenance activities.
- (5) Any part of the Roads Fund not immediately required for the purpose of the Roads Fund may be invested in such manner as the Board may, in its discretion, determine subject to the approval of the Minister provided that such investment shall be strictly evaluated, bear low risk and are technically consistent with the maintenance priorities and plans developed by the Roads Fund.
- (6) The financial year of the Roads Fund shall be a period of twelve months commencing on the 1st of January of each year and ending on the 31st of December of the same year. Provided that the first financial year may be a period shorter or longer than twelve (12) months as the Board shall determine, but in any case, not longer than eighteen (18) months.
- (7) The Annual Report and a report of the activity and implementation performance during the preceding year shall be published, and also made available to the public on demand.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 21: **Limitation of Suit.**

- (1) The provisions of the Public Officers Protection Act shall apply in relation to any suit Instituted against the Roads Fund, an official or employee of the Board.
- (2) A suit shall not be commenced against a member of the Roads Fund, any official or employee of the Board before the expiration of a period of one (1) month after written notice of the intention to commence the suit shall have been served on the Roads Fund, an official or employee of the Board by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) of this section shall clearly state the cause of action, the particulars of the claim, the name and address of the intending plaintiff and the relief which he claims.

- (4) A notice, summons or other document required or authorized to be served on the Roads Fund, an official or employee of the Board under the provisions of this Bill or any other law or enactment may be served by delivery of such notice, summons or other document to the Roads Fund, an official or employee of the Board or by sending such notice, summons or other document by registered post, addressed to the Managing Director or Secretary to the Board at the principal office of the Roads Fund.
- (5) A member of the Board, his secretary or any official or employee of the Board shall be indemnified out of the assets of the Roads Fund, against any liability incurred in defending any proceeding whether civil or criminal, if the proceeding is brought against the person in his capacity as a member, secretary, officer or employee of the Board.
- (6) In any action or suit against the Roads Fund, an official or employee of the Board, no execution or attachment or process in the nature thereof shall be issued against the Roads Fund, an official or employee of the Board but any sums of money which may, by the judgment of the Court, be awarded against the Roads Fund, an official or employee of the Board shall be paid from the funds of the Roads Fund.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 22: Five-year Rolling Road Financing Plan.

- (1) The Board shall, within the first year of its establishment, prepare a Five-Year Rolling Road Financing Plan (hereinafter referred to as the "Plan") for the fulfillment of its responsibilities under this Bill.
- (2) The Plan shall be broken into yearly action programmes and shall contain information, amongst others, that would allow the determination of the Board's proposed activities over the Plan period in respect of each element of the national road network.
- (3) The Plan shall constitute the basis for determining the financial needs of the Board and of its sourcing, including the needed contribution from its sources of finance.
- (4) The Plan shall constitute the basis upon which Road Agencies shall develop the road maintenance component of their own programmes from funding provided by the Roads Fund and the Board shall use the Plan as a monitoring to check the utilization of the funds disbursed to the Roads Agencies by it.
- (5) Notwithstanding the provisions of subsection (8) of this section, the Board shall ensure that the process and method used in the preparation of the first plan allows for adequate consultation and input to the Plan by the Road Agencies in a manner such as to make its intent and purpose consistent with the objectives of this Bill.

- (6) The Board shall within the five-year rolling plan cycle keep the Plan under review and update it annually with consideration given to extant government policy including the master plan for the transportation sector, the National Integrated Infrastructure Master Plan and with appropriate input from the Road Agencies as well as any directives given by the Minister pursuant to section 27 provided that any of the fore going are not inconsistent with the provisions of this Bill.
- (7) The Board shall ensure that its maintenance Plans and accurate periodic updates of the status of its implementation are made available to the public.
- (8) In preparing the Plan or any amendment, revision or update thereto, the Board shall -
- (a) require Road Agencies to submit to it four (4) months before the commencement of the financial year, their annual roads programmes in such form and containing such details as the Board shall specify, outlining a comprehensive plan of action for the maintenance of roads under the jurisdiction of the Road Agency and the estimated costs of every activity required to implement the plan of action;
 - (b) establish financial, road condition, economic and social criteria, for the allocation of funds to the Roads Agencies and for the general achievement of the objects of the Roads Fund;
 - (c) review the funding submissions of the Road Agencies against set criteria; and
 - (d) after agreeing to amendments and satisfying itself of the integrity of the submissions taken singly and as a whole, consolidate the Roads Agencies' annual roads programmes into Roads Fund's programme which shall specify details to include:
 - (i) specifying the amounts allocated for the maintenance of each class of roads;
 - (ii) matching the cost of implementing the annual roads programme with revenues collected or estimated to be collected by and within the Fund; and
 - (iii) identifying roads requiring maintenance in order of priority.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 23: Exemption from Taxation.

The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Roads Fund, except under circumstances where they have earned profit.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 24: Offences.

- (1) A person who contravenes or fails to comply with any of the provisions of section 4 of this Bill is guilty of an offence under this Bill.
- (2) If a sum is due payable under any of the provisions of section 4 of this Bill and such sum is not paid as and when due and in the prescribed manner, then any person upon whom the responsibility to pay falls is guilty of an offence under this Bill.
- (3) Notwithstanding any other provision in this Bill, a person liable to pay any charge, levy, surcharge, fee, or tax however prescribed shall make the payment in full and in the prescribed manner.
- (4) Where an offence under this Bill is committed by a body corporate, firm or association of individuals, every director, manager, partner or officer concerned in the management of the affairs of such an organization or any person who was purporting to act in that capacity is severally guilty of that offence and liable to be proceeded against and punished for that offence in a like manner as if he himself had committed the offence unless he can prove that the act constituting the offence took place without his actual or constructive knowledge and consent.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 25: Penalties.

- (1) Except as otherwise provided under this Bill, a person guilty of an offence under this Bill shall upon conviction, be liable to imprisonment for a term of six (6) months or to a fine not exceeding one million Naira (₦1,000,000.00) or both.
- (2) The institution of proceedings or the imposition of any penalty under this Bill, under any Regulation made under this Bill or under any other Act or Regulation shall not relieve any person from liability to pay any sum due as payable under this Bill or any Regulation made under this Bill.
- (3) A person who fails to pay or remit any charges, surcharges, levies, fees as prescribed under this Bill, is liable to pay as penalty 150% of the amount not collected, plus 5% interest above the Central Bank of Nigeria rediscount rate.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 26: Regulations.

- (1) The Board may from time to time and with the approval of the Minister, make, amend, revoke or supplement regulations, codes, internal guidelines and procedures in line with and for giving effect to the provisions of this Bill.
- (2) The regulations, codes, internal guidelines and procedures made pursuant to subsection (1) of this section may govern matters to include the manner, mode and modalities for the collection of any revenue accruable to the Roads Fund under this Bill; Provided that only the Minister may upon the recommendation of the Board make Regulations relating to fixing the rates, sums, or percentages applicable to any charges, surcharges, levies, or fees including variations thereto to be applied to any of the sources of revenue of the Roads Fund under this Bill.
- (3) Regulations made pursuant to subsections (1) - (2) of this section shall be published in the official Gazette.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 27: The Role of the Minister.

- (1) The Minister shall not later than three months after the coming into force of this Bill, take such steps as are necessary to bring into being the institutional structures of the National Roads Fund.
- (2) The Minister shall perform any function or role as designated as being such under this Bill including the giving of approvals where required under the Act; fixing the rates, sums, or percentages applicable to any charges, surcharges, levies, or fees including variations thereto to be applied to any of the sources of revenue of the Roads Fund under this Bill; promulgation of Regulations; providing advice on government policies related to the activities of the Roads Fund.
- (3) The Minister may give directives to the Board relating to the performance by the Board of any of its functions under this Bill; provided that such directives are not inconsistent with the objectives of the Roads Fund, the functions and powers of the Board and any provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 28: Interpretation.

In this Bill -

"Administrative Fund" means the percentage funds to be set aside from the total revenue accruing to the Roads Fund and to be utilized only for the purposes as specified under this Bill;

"Board" means the Governing Board established under section 6 of this Bill;

"Financial year" means every period of twelve months beginning from 1st January and terminating on 31st day of December; provided that the first financial year may be shorter or longer than twelve (12) months as the Board shall determine, but in any case not longer than eighteen months;

"Gazette" means the official Gazette of the Federal Republic of Nigeria;

"Minister" means the Minister responsible for Finance;

"Member" in relation to the Board includes the Chairman and Managing Director;

"National Roads" means roads and bridges, including their rights of way, that are owned and legally managed by Federal, State and Local Governments;

"Person" shall include a natural person or body corporate where the context admits;

"Reserve Fund" shall mean the balance between the revenue accruing to the Roads Fund in any financial year and the expenditure for that year;

"Road Agency(ies)" means statutory institutions created at Federal, State or Local Government level charged with the responsibilities which include the maintenance and safety management of road networks under their jurisdiction;

"Roads Fund" means the Roads Fund established by section 3 of this Bill;

"Rolling Road Financing Plan" means a five year roads programme prepared by the Board in the manner stipulated under this Bill for the Roads Fund's fulfilment of its objectives under this Bill;

"Tariffs" includes road user charges such as fuel levy, charges, fees, surcharges as well as supplementary heavy vehicle permit, international transit fees, tolls and fines for overloading, etc.; and

"Road Sector Regulator" Agency responsible for Regulating the Road Sector.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 29: Short Title.

This Bill may be cited as the National Roads Fund Bill, 2021.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

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

SCHEDULES

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to the provisions of this Bill, the Board may make standing orders regulating its proceedings or that of any of its Committees.
2. The Board shall hold a meeting at least once in every three months and, at such other time as may be convened by the Chairman.
3. A notice of not less than fourteen (14) days or such other period as may be agreed from time to time by all the members at a meeting shall be given to all members and the notice shall specify the date, time and place of the meeting and the business to be transacted.
4. The Chairman shall preside at meetings of the Board, and in his absence the members present shall elect one of their numbers to preside at the meeting.
5. Where not less than five members of the Board request the Chairman by notice in writing signed by them, to convene an extra-ordinary meeting of the Board for any purpose specified in the notice, the Chairman shall upon receipt of such notice convene an extraordinary meeting of the Board for that purpose within seven days at such place and time as he may appoint. A written notice shall be addressed and sent to the members at least three working days prior to the date of the meeting.
6. Notwithstanding anything in the foregoing provisions of this paragraph, the inaugural meeting of the Board shall be summoned by the Minister responsible for Finance, who may give such directions as he thinks fit as to the procedure which shall be followed at that meeting.
7. The quorum for a meeting of the Board shall be five members. If, within half an hour from the time appointed for the meeting of the Board, a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or such other date, time or place as the Chairman of the meeting shall appoint.
8. A meeting of the Board shall not be adjourned to a date which is less than two (2) days later than the day it was to be held unless otherwise agreed by all the members, and the meeting may only deal with the matters which were on the agenda of the meeting that was adjourned.
9. Where a meeting has been adjourned, notice of the adjourned date shall be given by the Secretary of the Board to the members.
10. The Board may co-opt non-voting observers at any of its meetings, as and when required.
11. The Board shall appoint such groups or committees as may be necessary for the proper discharge its functions.
12. A study group or committee shall consist of some members of the Board and such other persons as the Board may determine, and the objectives of the groups or committees shall

be defined.

13. Members of the Board and other persons appointed as members of the study groups or committees shall be paid allowances as may be determined by the Board.
14. A member of the Board shall not appoint any proxy to represent him at any meeting of the Board.
15. All questions at a meeting of the Board shall be determined by a simple majority of votes of the members present and voting, being members who under this paragraph are entitled to vote at such meeting. All relevant Board papers for Board meetings shall be sent to all members prior to the Board meeting, and the minutes of the meeting will be sent as soon as practicable after the holding of the meeting.
16. At any meeting of the Board each member shall have a vote, and if there is equality of votes the Chairman shall have a second or casting vote.
17. The minutes of meetings of the Board and its committees shall be recorded in a register and kept by the Secretary of the Board or his nominee and be confirmed at the next succeeding ordinary meeting of the Board.
18. Subject to the provisions of this Bill, the Board may make standing orders with respect to the -
 - (a) holding of meetings of the Board;
 - (b) notices to be given of the meetings;
 - (c) proceedings of the meetings;
 - (d) keeping of minutes of the proceedings; and,
 - (e) production of the proceedings for inspection.
19. Without limiting the discretion of the Board to regulate its meetings, the members of the Board may, in a matter that requires urgent attention -
 - (a) confer by telephone;
 - (b) close circuit television;
 - (c) other electronic means; or
 - (d) audio or audiovisual communication.

Committees of the Board

20. A resolution passed at a meeting held in line with paragraph 19 above shall, notwithstanding that the members are not present together in one place at the time of the meeting, be deemed to have been passed at a meeting of the Board duly called and constituted on the day and at the time at which the meeting was held, it being agreed that the provisions of the Bill relating to meetings of members shall apply to the meeting.
21. The Board may appoint one or more Committees to carry out, some of its functions.

22. The decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Disclosure of Interest by Members of the Board

23. A member of the Board who is in any way directly or indirectly interested in any contract, proposed contract or arrangement shall disclose the nature of his interest at a meeting of the Board where the subject is first discussed, and the disclosure shall be recorded in the minute book of the Board, and the member shall not take part in any deliberation or decision of the Board with respect to that transaction or project.
24. A member of the Board need not attend in person a meeting of the Board in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to ensure that the disclosure is made by a notice which is brought up and read at the meeting.

Conflict of Interest

25. The personal interest of a member shall not conflict with any of his duties -as a member of the Board under this Bill.
26. A member shall not in the course of the management of affairs of the Roads Fund or in the utilisation of the Roads Fund's property, make any secret profit or achieve other unnecessary benefits.
27. A member shall be accountable to the Roads Fund for any secret profit made by him or any unnecessary benefit derived by him contrary to this provision.

The Common Seal

28. The common seal of the Roads Fund shall not be affixed to any instrument except by the authority of a resolution of the Board and the affixing of the common seal shall be authenticated by the signatures of the Chairman and the Secretary, or of some other members authorised generally or specifically by the Board to act for the purpose. Any document purporting to be a document duly executed under the common seal of the Roads Fund shall be received in any court and shall, unless the contrary is proved, be deemed to be so executed.
29. The validity of any proceedings of the Board shall not be affected by vacancy in the membership of the Board, any defect in the appointment of a member of the Board or by reason that a person not entitled to do so took part in the proceedings.

Question that the provision in the First Schedule stand part of the Bill — Agreed to.

SECOND SCHEDULE

PROVISIONS RELATED TO CHARGING, PAYMENT AND COLLECTION OF LEVIES, FEES, CHARGES,
SURCHARGES OR OTHER STIPULATED SOURCES OF FUNDING UNDER THIS BILL

Levies, fees, charges and surcharges stated in section 4 (a)-(g) under this Bill shall be administered as prescribed under this Schedule

Fuel Levy on Imported Petroleum Products

1. (a) There shall be paid into the Roads Fund a levy of One Naira (₦1) per litre on any volume of petrol and diesel products imported into Nigeria.

- (b) The levy shall be paid in full directly into the designated accounts of the Roads Fund by the importer and the evidence of payment shall be required to be provided to the Nigerian Customs Service for the purposes of clearing and permitting the importation of such products.
- (c) The Nigerian Customs Service shall at all times be responsible for assessing and ensuring the accurate remittance of the payable Fuel Levy into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account.
- (d) The Minister shall in consultation with the Minister for Petroleum have the power to review and determine the amount to be charged as Fuel Levy from time to time, from the commencement of this Bill.

Fuel Levy on Locally Refined Petroleum Products

2. (a) There shall be paid into the Roads Fund a levy of One Naira (₦1) per litre on any volume of petrol and diesel products refined or sold in Nigeria.
- (b) The refinery and the agency in charge of marketing petroleum products in Nigeria shall be responsible for assessing and ensuring the accurate payment or remittance of the payable Fuel Levy into the designated accounts of the Roads Fund.
 - (c) The Fuel Levy payable on locally refined petroleum products under subsection (a) and (b) of this section shall be payable no later than thirty (30) days after the delivery of the petroleum products from the refinery.
 - (d) The Minister shall have the power to review and determine the amount to be charged as Fuel Levy from time to time, from the commencement of this Bill.

Axle Load Control Charges

3. (a) There shall be paid into the Roads Fund Axle Load Control Charges which shall be paid in a manner and rate as shall be determined and prescribed by the Minister from time to time under Regulations to be made under the provisions of this Bill.
- (b) The Federal Roads Agency shall be responsible for assessing and ensuring the accurate remittance of all Axle Load Control Charges into the designated accounts of the Roads Fund.

Toll Fees

4. (a) There shall be paid into the Roads Fund, Toll Fees, chargeable on any road owned by the federal government and designated as a toll road by the Minister.
- (b) A percentage not less than 10% of any revenue paid as user charge per vehicle on any road designated as a toll road under subsection (a) of this subsection shall accrue and be payable to the Roads Fund.
 - (c) Any toll road operator, concessionaire or other authority responsible for the collection of toll fees on any road designated as a toll road under subsection (a) of this section shall be responsible for assessing and ensuring the accurate payment or remittance of the payable revenue from toll fees into the designated accounts of the Roads Fund.

- (d) The Minister has the power to review and vary the amount of the percentage of revenue that shall accrue to the Roads Fund as provided under subsection (b) of this section.

International Vehicle Transit Charges

5. (a) There shall be paid into the Roads Fund, International Vehicle Transit Charges on any foreign registered vehicle entering into Nigeria at any time through any land border.
- (b) The charge shall be paid in full directly into the designated accounts of the Roads Fund by the person bringing a vehicle into Nigeria and the evidence of the payment of which shall be provided to the Customs Service for the purposes of permitting of such vehicle entry into Nigeria.
- (c) The Nigerian Customs Service shall ensure accurate remittance of the payable International Vehicle Transit Charge into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund and to the Minister of the total amounts from receipts of payment of charges to the Roads Fund account.
- (d) The Minister shall have the power to review and determine the amount to be charged as International Vehicle Transit Charge from time to time.

Inter-State Mass Transit User Charge

6. (a) There shall be paid into the Roads Fund, Inter-State Mass Transit User Charge being a 0.5% charge on the fare paid by passengers to commercial mass transit operators for inter-state travel.
- (b) The charging and collection of the Inter-State Mass Transit User Charge shall be as determined by the Road Sector Regulator under the provisions of its Act.
- (c) Any funds accruing to the Roads Fund for Inter-State Mass Transit User Charges shall be paid into the designated accounts of Roads Fund.
7. (a) There shall be paid into the Roads Fund a surcharge of 0.5% on the assessed value of any vehicle imported at any time into Nigeria.
- (b) The surcharge shall be paid in full into the designated accounts of the Roads Fund by the importer of any vehicle and the evidence of the payment shall be provided to the Nigeria Customs Service for the purposes of clearing and permitting the importation of a vehicle.
- (c) The Nigeria Customs Service shall be responsible for assessing and ensuring the accurate remittance of the payable Roads Fund Surcharge into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account.
- (d) The Minister shall have the power to review and determine the amount to be charged as Roads Fund Surcharge from time to time.

Lease, License or Other Fees

8. (a) There shall be paid into the Roads Fund revenue accruing from lease or license or other fees pertaining to non-vehicular road usages to include the placement of advertising, billboard and signage, telecommunications equipment (masts, cables, etc.) or other equipment along any Federal road at rates as may be prescribed by the Minister under a regulation made under this Bill.
- (b) The Federal Roads Agency shall be responsible for the assessment, charging and collection of fees prescribed under this section as above, and shall remit an amount of not less than 10% of such revenue into the Roads Fund.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered A Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and for Other Related Matters, 2021 and approved as follows:

Clauses 1-29 — 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.

16. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 29th September, 2021 at 10.00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:49 p.m.

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

CORRIGENDUM

In the Vote and Proceedings of Wednesday, 22nd September, 2021 page 1141, item 3(a): *insert* 3(a)(vii) as follows:

“Senator Mohammed S. Musa — North Central”



Lease, License or Other Fees

8. (a) There shall be paid into the Roads Fund revenue accruing from lease or license or other fees pertaining to non-vehicular road usages to include the placement of advertising, billboard and signage, telecommunications equipment (masts, cables, etc.) or other equipment along any Federal road at rates as may be prescribed by the Minister under a regulation made under this Bill.
- (b) The Federal Roads Agency shall be responsible for the assessment, charging and collection of fees prescribed under this section as above, and shall remit an amount of not less than 10% of such revenue into the Roads Fund.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered A Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and for Other Related Matters, 2021 and approved as follows:

Clauses 1-29 — 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.

16. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 29th September, 2021 at 10.00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:49 p.m.

Ahmad Ibrahim Lawan, Ph.D, CON
President,
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In the Vote and Proceedings of Wednesday, 22nd September, 2021 page 1141, item 3(a): *insert* 3(a)(vii) as follows:

“Senator Mohammed S. Musa — North Central”

