



**SENATE OF THE  
FEDERAL REPUBLIC OF NIGERIA  
ORDER PAPER**

Wednesday, 23<sup>rd</sup> March, 2022

- 
1. **Prayers**
  2. **Approval of the Votes and Proceedings**
  3. **Oaths**
  4. **Announcements (if any)**
  5. **Petitions**
- 

**BUSINESS OF THE DAY**

**PRESENTATION OF BILLS**

1. Nigeria Start-up Bill, 2022 (SB. 966) - *First Reading*  
Sen. Abdullahi, Yahaya Abubakar (*Kebbi North-Senate Leader*).
  2. Pharmacy Council of Nigeria Act (Repeal & Re-enactment) Bill, 2022 (HB. 334) - *First Reading*  
Sen. Abdullahi, Yahaya Abubakar (*Kebbi North-Senate Leader*).
  3. National Biosafety Management Agency Act 2015 (Amendment) Bill, 2022 (SB. 968) - *First Reading*  
Sen. Yahaya A. Abdullahi (*Kebbi North*).
  4. Federal College of Agriculture Ise-Orun, Ekiti State (Establishment) Bill, 2022 (SB. 964) - *First Reading*  
Sen. Olujimi, Biodun (*Ekiti South*).
  5. Finance (Management & Control) Act (Repeal & Re-enactment) Bill, 2022 (SB. 969) - *First Reading*  
Sen. Musa, Mohammed Sani (*Niger East*).
- 

**ORDERS OF THE DAY**

**CONSIDERATION OF BILLS**

1. A Bill for an Act to Establish the National Inspector-General for Tax Crimes Commission to address revenue leakages emanating from non-payment and under-payment of taxes; irregularities in the assessment, reporting and remittances of taxes; to prevent and combat tax-related crimes; to plug all leakages in the tax administration system; to ensure the protection of tax payers rights; and for related matters, 2022 (SB. 951) - *Second Reading*  
Sen. Kalu, Orji Uzor (*Abia North*).
2. A Bill for an Act to Enact the Nigerian Economic Diversification Bill to Establish the Nigerian Economic Diversification Council and to provide for comprehensive framework, structures, programmes and schemes for strengthening Nigerian capacity development in order to diversify the Nigerian economy for self-sufficiency, job creation, international competitiveness of Nigeria domestic businesses and for other related matters, 2022 (SB. 875) - *Second Reading*  
Sen. Abdullahi, Aliyu Sabi (*Niger North*).

3. A Bill for an Act to provide the Legal Framework to Establish the Federal Medical Centre Osogbo, Osun State and for related matters, 2022 (SB. 364) - *Second Reading*  
Sen. Basiru, Surajudeen Ajibola (*Osun Central*).

## PRESENTATION AND CONSIDERATION OF REPORTS

1. Report of the Committee on Banking, Insurance and other Financial Institutions  
*Confirmation of Appointment of Members of the Monetary Policy Committee in the Central Bank of Nigeria*  
Sen. Sani, Uba (*Kaduna Central*)  
-That the Senate do receive and consider the report of the Committee on Banking, Insurance and other Financial Institutions on the confirmation of appointment of Members of the Monetary Policy Committee in the Central Bank of Nigeria.

S/NO.	NAME	REMARKS
1.	Prof. Mohammed Adaya Salisu	New Appointment
2.	Dr. Mo' Omamegbe	New Appointment
3.	Prof. Michael Obadan	Renewal
4.	Prof. Festus Adeola Adenikinju	Renewal
5.	Prof. Aliyu Sanusi Rafindadi	Renewal
6.	Dr. Robert Asogwa	Renewal
7.	Alhaji Aliyu Ahmed	Renewal

2. Report of the Joint Committees on Judiciary, Human Rights & Legal Matters and Anti-Corruption & Financial Crimes  
*Proceeds of Crimes (Recovery and Management) Bill, 2022 (SB. 553 & SB. 645)*  
Sen. Bamidele, Micheal Opeyemi (*Ekiti Central*) & Sen. Kwari, Suleiman Abdu (*Kaduna North*)  
-That the Senate do receive and consider the report of the Joint Committees on Judiciary, Human Rights & Legal Matters and Anti-Corruption & Financial Crimes on the re-committal of Clause 74 of the Proceeds of Crimes (Recovery and Management) Bill, 2022 (SB. 553 & SB. 645).
3. Report of the Joint Committees on Anti-Corruption & Financial Crimes and Ethics, Privileges & Public Petitions  
*Public Interest Disclosure and Complaints (Enactment) Bill, 2022 (SB. 644)*  
Sen. Kwari, Suleiman Abdu (*Kaduna North*) & Sen. Akinyelure, Patrick Ayo (*Ondo Central*)  
-That the Senate do receive and consider the report of the Joint Committees on Anti-Corruption & Financial Crimes and Ethics, Privileges & Public Petitions on the Public Interest Disclosure and Complaints (Enactment) Bill, 2022 (SB. 644).

## MOTIONS

1. Urgent need to name the New Head Office of the NDDC as Harold Dappa Biriye house.

Sponsor: Sen. Henry, Seriake Dickson (*Bayelsa West*)

*The Senate:*

*Notes the urgent need to name the New Head Office of the NDDC as Harold Dappa Biriye house;*

*Aware that Harold Dappa Biriye, led the people of Niger Delta under the banner of the Niger Delta Congress, to participate at the constitutional conferences in 1958 and all the other conferences within and outside Nigeria;*

*Aware that he worked with his contemporary, and the founding fathers of our country in his own right and worked with his friends and allies like Sir Tafawa Balewa, the first prime minister, Chief Nnamdi Azikiwe, Chief Obafemi Awolowo and Ahamadu Bello in the Pre-independence struggles;*

*Observes* that his party the NDC was in alliance with the NPC after the elections of 1959 and as a result of his political doggedness Chief Melford OKilo became a parliamentarian and parliamentary secretary;

*Notes* that he lived all good life promoting national unity, understanding and cohesion as well as preached against tribal sentiments;

*Aware* that he worked with General Gowon as one of his advisers for the creation of Rivers State and negotiated the release of Isaac Adaka Boro;

*Notes* that he served as an adviser to the new Diette Spiff administration following the creation of Rivers State until the return to politics. After serving General Gowon, he continued with Gen. Murtala Mohammed, MD Yusuf and others;

*Notes also* that Harold Dappa Biriye was the founding chairman of the board of trustees of the Ijaw National Congress and was deputized by PA EK Clark;

*Aware* that through the Wiliink's Commission's, which he pioneered and pushed for, the establishment of the Niger Delta Basin Development which later also birthed same in other regions in the country;

*Notes* that he offered advice to President Olusegun Obasanjo Administration on how to restore peace to the Niger Delta region and this was one of the reasons the NDDC was established;

*Notes* that following the establishment of the NDDC the Federal Government and the management of the NDDC with the support of the Rivers state government, decided to name the temporal building after him to honor him; and

*Observes* that the NDDC after over 20 years of existence has commissioned their permanent secretariat.

*Accordingly resolves to:*

*Urge* the Secretary to the Government of the Federation and the Minister of Niger Delta to prevail upon the management of NDDC to name the New NDDC Office as Harold Dappa Biriye House as a mark of honour for a man who work for the development and unity of Nigeria and particularly for the emancipation of the Niger Delta people.

2. Urgent need to appeal the Judgement of the Federal High Court Umuahia on Suit No.: FHC/UM/CS/26/2022 on Section 84(12) of the Electoral Act 2022.

Sponsor: Sen. Sekibo, George Thompson (*Rivers East*)

Co- Sponsors:

Sen. Abaribe, Enyinnaya Harcourt ( <i>Abia South</i> )	Sen. Abdullahi, Aliyu Sabi ( <i>Niger North</i> )
Sen. Umar, Sadiq Suleiman ( <i>Kwara North</i> )	Sen. Orker-Jev, Emmanuel Yisa ( <i>Benue North West</i> )
Sen. Adamu, Muhammad Aliero ( <i>Kebbi Central</i> )	Sen. Adeola, Solomon Olamilekan ( <i>Lagos West</i> )
Sen. Adetunmbi, Olubunmi Ayodeji ( <i>Ekiti North</i> )	Sen. Olujimi, Biodun ( <i>Ekiti South</i> )
Sen. Urhoghide, A. Matthew ( <i>Edo South</i> )	Sen. Akinyelure, Patrick Ayo ( <i>Ondo Central</i> )
Sen. Akpan, Albert Bassey ( <i>Akwa-Ibom North East</i> )	Sen. Akwashiki, Godiya ( <i>Nasarawa North</i> )
Sen. Alhaji, Ya'u Sahabi ( <i>Zamfara North</i> )	Sen. Alimikhena, Francis Asekame ( <i>Edo North</i> )
Sen. Alkali, Saidu Ahmed ( <i>Gombe North</i> )	Sen. Oriolowo, Adelere Adeyemi ( <i>Osun West</i> )
Sen. Amos, Bulus Kilawangs ( <i>Gombe South</i> )	Sen. Ordia, Akhimienmona Clifford ( <i>Edo Central</i> )
Sen. Apiafi, Betty Jocelyn ( <i>Rivers West</i> )	Sen. Abiru, Mukhail Adetokunbo ( <i>Lagos East</i> )
Sen. Balogun, Kola Ademola ( <i>Oyo South</i> )	Sen. Bamidele, Micheal Opeyemi ( <i>Ekiti Central</i> )
Sen. Basiru, Surajudeen Ajibola ( <i>Osun Central</i> )	Sen. Bassey, Gershom Henry ( <i>Cross River South</i> )
Sen. Barau, I. Jibrin ( <i>Kano North</i> )	Sen. Bima, Muhammad Enagi ( <i>Niger South</i> )
Sen. Ubah, Ifeanyi Patrick ( <i>Anambra South</i> )	Sen. Jarigbe, Agom Jarigbe ( <i>Cross River North</i> )
Sen. Boroffice, Robert Ajayi ( <i>Ondo North</i> )	Sen. Buhari, Abdulfatai ( <i>Oyo North</i> )
Sen. Bulkachuwa, Adamu Muhammad ( <i>Bauchi North</i> )	Sen. Oloriegbe, Yahaya Ibrahim ( <i>Kwara Central</i> )
Sen. Dahiru, Aishatu Ahmed Binani ( <i>Adamawa Central</i> )	Sen. Ibezim, Frank Chukwuma ( <i>Imo North</i> )
Sen. Dimka, Hezekiah Ayuba ( <i>Plateau Central</i> )	Sen. Cleopas, Moses Zuwohge ( <i>Bayelsa Central</i> )

Sen. Egwu, Samuel Ominyi (Ebonyi North)  
 Sen. Ekweremadu, Ike (Enugu West)  
 Sen. Henry, Seriake Dickson (Bayelsa West)  
 Sen. Fadahunsi, Francis Adenigba (Osun East)  
 Sen. Gaidam, Ibrahim Alhaji (Yobe East)  
 Sen. Gobir, Ibrahim Abdullahi (Sokoto East)  
 Sen. Gumau, Lawal Y. (Bauchi South)  
 Sen. Suswam, Gabriel Torwua (Benue North East)  
 Sen. Isah, Jibrin (Kogi East)  
 Sen. Jika, Dauda Halliru (Bauchi Central)  
 Sen. Kwari, Suleiman Abdu (Kaduna North)  
 Sen. La'ah, Danjuma Tella (Kaduna South)  
 Sen. Nora, Ladi Daduut (Plateau South)  
 Sen. Ibrahim, A. Danbaba (Sokoto South)  
 Sen. Ogba, Joseph Obinna (Ebonyi Central)  
 Sen. Moro, Patrick Abba (Benue South)  
 Sen. Musa, Mohammed Sani (Niger East)  
 Sen. Na'allah, Bala Ibn (Kebbi South)  
 Sen. Nnachi, Michael Ama (Ebonyi South)  
 Sen. Wamakko, Aliyu Magatakarda (Sokoto North)  
 Sen. Onor, Sandy Ojang (Cross River Central)

Sen. Ekpeyong C. Stephen (Akwa Ibom North West)  
 Sen. Ekwunife, Uche Lilian (Anambra Central)  
 Sen. Eyakenyi, Akon Etim (Akwa-Ibom South)  
 Sen. Tofowomo, Nicholas Olubukola (Ondo South)  
 Sen. Gaya, Kabiru Ibrahim (Kano South)  
 Sen. Shettima, Kashim (Borno Central)  
 Sen. Gyang, Istifanus Dung (Plateau North)  
 Sen. Isa, Shuaibu Lau (Taraba North)  
 Sen. Ishaku, Elisha Cliff (Adamawa North)  
 Sen. Tanimu, Philip Aduda (F.C.T)  
 Sen. Kyari, Abubakar Shaib (Borno North)  
 Sen. Lawali, Hassan Anka (Zamfara West)  
 Sen. Yaroe, Binos Dauda (Adamawa South)  
 Sen. Adeyemi, Smart (Kogi West)  
 Sen. Mohammed, Sabo (Jigawa South-West)  
 Sen. Mpigi, Barinada (Rivers South-East)  
 Sen. Onyewuchi, Ezenwa Francis (Imo East)  
 Sen. Ndume, Mohammed Ali (Borno South)  
 Sen. Orji, Theodore Ahamefule (Abia Central)  
 Sen. Utazi, Chukwuka Godfrey (Enugu North)  
 Sen. Oduah, Stella Adaeze (Anambra North)

*The Senate:*

*Aware that the Senate of the Federal Republic of Nigeria passed the Electoral Bill 2022 and a clean copy forwarded to the President, Federal Republic of Nigeria for his assent;*

*Aware also that the President, Federal Republic of Nigeria, assented to the Bill into law which, was widely appreciated by the citizens of the country;*

*Observes that a court in Umuahia, Abia State in a suit marked FHC/MU/SC/26/2022 faulted the provision of Section 84(12) of the Electoral Act 2022 and declared it unconstitutional, invalid, illegal, null void and of no effect.*

*Aware that the said Section 84(12) of the Electoral Act 2022 states as follows:*

*No political appointee at any level shall be voting delegate or be voted for at the convention or congress of any political party for the purpose of the nomination of candidates for any election;*

*Observes further that the Judge in his ruling said that Section 84(12) of the Electoral Act 2022 was inconsistent with Sections 66(1)(f), 107(1)(f), 137(1)(g) and 182(1)(g) of the 1999 Constitution of the Federal Republic of Nigeria as amended;*

*Notes that for ease of reference, the Sections relied upon in the judgment as stated above are as follows:*

*Section 66(1)(f)*

*66. (1) No person shall be qualified for election to the Senate or the House of Representatives if:*  
*(f) he is a person employed in the public service of the Federation or of any State and has not resigned, withdrawn or retired from such employment 30 days before the date of election;*

*Section 107 (1)(f)*

*(1) No person shall be qualified for election to a House of Assembly if -*  
*(f) he is a person employed in the public service of the Federation or of any State and he has not resigned, withdrawn or retired from such employment thirty days before the date of election;*

*Section 137(1)(g)*

*(1) A person shall not be qualified for election to the office of President if:-*

*(g) being a person employed in the civil or public service of the Federation or of any State, he has not resigned, withdrawn or retired from the employment at least thirty days before the date of the election;*

**Section 182(1)(g)**

**182. (1) No person shall be qualified for election to the office of Governor of a State if –**

*(g) being a person employed in the public service of the Federation or of any State, he has not resigned, withdrawn or retired from the employment at least thirty days to the date of the election;*

**Notes further that Section 4 (1,2 and 3) of the 1999 Constitution of the Federal Republic of Nigeria as amended vested the power of law making for the Federal Republic of Nigeria on the National Assembly and as stated below:**

*4. (1) the legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives;*

*(2) The National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part I of the Second Schedule to this Constitution;*

*(3) The power of the National Assembly to make laws for the peace, order and good government of the Federation with respect to any matter included in the Exclusive Legislative List shall, save as otherwise provided in this Constitution, be to the exclusion of the Houses of Assembly of States;*

**Aware also that in furtherance to the powers vested in the National Assembly, the 1999 Constitution under the roles of the Executive in ITEM D that deals with political parties in Section 228 (a, b and d) confers more powers on the National Assembly, more particularly on political parties and effective management of the electoral process by the Independent National Electoral Commission. See as below:**

**228. The National Assembly may by law provide -**

*(a) guidelines and rules to ensure internal democracy within political parties, including making laws for the conduct of party primaries; party congresses and party conventions;*

*(b) the conferment on the Independent National Electoral Commission of powers as may appear to the National Assembly to be necessary or desirable for the purpose of enabling the Commission more effectively ensure that political parties observe the practices of internal democracy, including the fair and transparent conduct of party primaries, party congresses and party conventions; and*

*(d) for the conferment on the Commission of other powers as may appear to the National Assembly to be necessary or desirable for the purpose of enabling the Commission more effectively to ensure that political parties observe the provisions of this part of this chapter;*

**Notes that the Electoral Act 2022 enacted by the National Assembly followed due process of the provisions of the 1999 Constitution as given above. The Senate opines that section 84 (12) of the 2022 electoral Act exclusively refers to nomination conventions and congresses called for candidate selection and not participation in the general election which Sections 66(1)(f), 107(1)(f), 137(1)(g) and 182(1)(g) were referring to;**

**Believes that the interpretation of the meaning of the words ‘civil service’ and ‘public service’ as provided in Part IV: Interpretation, Citation and Commencement in Section 318 is unambiguous as given below:**

**Part IV: Interpretation, Citation and commencement**

**318. (1) In this constitution, unless it is otherwise expressly provided or the context otherwise requires-**

*"civil service of the Federation" means service of the Federation in a civil capacity as staff of the office of the President, the Vice-President, a ministry or department of the government of*

*the Federation assigned with the responsibility for any business of the Government of the Federation;*

*“public service of the Federation” means the service of the Federation in any capacity in respect of the Government of the Federation, and includes service as—*

- (a) Clerk or other staff of the National Assembly or of each House of the National Assembly;*
- (b) member of staff of the Supreme Court, the Court of Appeal, the Federal High Court, the National Industrial Court, the High Court of the Federal Capital Territory, Abuja, the Sharia Court of Appeal of the Federal Capital Territory, Abuja, the Customary Court of Appeal of the Federal Capital Territory, Abuja, or other courts established for the Federation by this Constitution and by an Act of the National Assembly;*
- (c) member of staff of any commission or authority established for the Federation by this Constitution or by any Act of the National Assembly; Government of the Federation;*
- (g) staff of any company or enterprise in which the Government of the Federation or its agency owns controlling shares or interests; and*
- (h) members or officers of the armed forces of the Federation or the Nigerian Police Force or other government security agencies established by law;*

**Notes that there is a difference between the civil service or public service and political appointment;**

**Believes that the Senate of the Federal Republic of Nigeria should show concern on the judgement especially when she was not given opportunity to represent herself in a matter such as this that emanates from her legitimate functions; and**

**Believes further that letting this judgment go without concern will become a precedence on which any person could go to the court and obtain judgment to ridicule the good intentions of the National Assembly as an institution.**

**Accordingly resolves to:**

**Follow the appropriate channel and appeal the judgment in Suit marked FHC/UM/CS/26/2022 for the court to set aside the judgement as the judgement was reached without due consideration of the Constitutional interpretation in Section 318 of the 1999 Constitution as amended.**

---

#### COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Science & Technology	Wednesday, 23 <sup>rd</sup> March, 2022 (Oversight Visit)	2.00pm	Front of New Building Senate New Building
2.	Interior	Wednesday, 23 <sup>rd</sup> March, 2022	2.00pm	Committee Room 211 Senate New Building
3.	Establishment and Public Service	Wednesday, 23 <sup>rd</sup> March, 2022 (Public Hearing)	2.00pm	Conference Room 231 Senate New Building
4.	Joint Committee on Environment, Petroleum Upstream and Primary Health & Communicable Diseases	Wednesday, 23 <sup>rd</sup> March, 2022	2.00pm	Committee Room 107 Senate New Building
5.	Public Accounts	Wednesday, 23 <sup>rd</sup> March, 2022 (Public Hearing)	2.00pm	Senate Hearing Room 4 White House Building
135		Wednesday, 23 <sup>rd</sup> March, 2022		263

---

6.	Public Accounts	Thursday, 24 <sup>th</sup> March, 2022 (Public Hearing)	1.00pm	Senate Hearing Room 4 White House Building
7.	Host Communities	Thursday, 24 <sup>th</sup> March, 2022	12.00noon	Committee Room 117 Senate New Building
8.	Downstream Petroleum Sector	Tuesday, 29 <sup>th</sup> March, 2022 (Interactive Session)	2.00pm	Committee Room 117 Senate New Building
9.	Ethics, Privileges and Public Petitions	Tuesday, 5 <sup>th</sup> April, 2022	2.00pm	Committee Room 120 Senate New Building