



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 22nd March, 2022

1. The Senate met at 10:46 a.m. The Deputy President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 16th March, 2022.
Question was put and the Votes and Proceedings were approved.
3. **Announcements:**
 - (a) **All Progressives Congress (APC) Caucus Meeting:**
The Deputy President of the Senate read a letter from Senator Yahaya A. Abdullahi (Kebbi North) as follows:



SENATOR YAHAYA A. ABDULLAHI
Kebbi North Senatorial District

22nd March, 2022

*The President of the Senate,
National Assembly,
Three Arms Zone,
Abuja.*

ANNOUNCEMENT

APC SENATE CAUCUS NOTICE OF MEETING

There will be APC Senate Caucus Meeting on the following:

- (a) *CECPC briefing to the Caucus on National Convention.*
- (b) *Letter to the Caucus from the Party.*
- (c) *Address by His Excellency, Hon. (Dr) Abdulaziz Yari Abubakar.*
- (d) *AOB.*

Venue: Senate President's Conference Room 301.

Time: 2:00pm.

*(Signed)
Sen. Abdullahi, Yahaya Abubakar
Senate Leader*

(b) Peoples' Democratic Party (PDP) Caucus Meeting:

The Deputy President of the Senate read a letter from Senator Enyinnaya H. Abaribe (Abia South) as follows:



SENATOR ENYINNAYÀ HARCOURT ABARIBE
MINORITY LEADER

22nd March, 2022

The Senate President
National Assembly
Abuja.

NOTICE OF INTERACTIVE MEETING

This is to invite all members of the PDP SENATE CAUCUS to an interactive meeting with Former Senate President, HE Senator Bukola Saraki, Presidential Aspirant of our party.

Date: Tuesday, 22nd March, 2022
Venue: House 5A, No 7 Gana Street, Maitama, Abuja
Time: 7pm

We request all caucus members to note and attend, please.

(Signed)
Senator Enyi Abaribe
(Minority Leader)

(c) Funeral Ceremony:

The Deputy President of the Senate read a letter from Senator Michael A. Nnachi (Ebonyi South) as follows:



SENATOR MICHAEL AMA NNACHI Ph.D, FNIQS, FCArb, FIMC, RQS, CMC, MEMAN
EBONYI NORTH SENATORIAL DISTRICT
VICE CHAIRMAN SENATE COMMITTEE ON AIR FORCE
VICE CHAIRMAN SENATE COMMITTEE ON POVERTY ALLEVIATION AND SOCIAL INVESTMENT PROGRAMME

22nd March, 2022

Ref: SEN/MAN/NS/VOL2/22/298

From: Senator Michael Ama, Ph.D.

To: Distinguished Senators

REMINDER: MY LATE MOTHER MRS. EUNICE ELEM UKPAI NNACHI'S BURIAL

As the burial of my mother Late Mrs. Eunice Elem Ukpai Nnachi (Ezinne) draws near, you may wish to indicate your interest of attending to enable me know the Senators coming and prepare accordingly.

The Funeral Programme is as follows:

FRIDAY, MARCH 25, 2022

SERVICE OF SONGS:

Time: 6:00pm

Venue: Senator Michael Ama Nnachi's Residence, Opp. Itim Secondary School, Itim Edda, Afikpo South, Ebonyi State

SATURDAY, MARCH 26, 2022

FUNERAL SERVICE:

Time: 11:00am

Venue: Senator Michael Ama Nnachi's Residence

INTERMENT:

Time: 1:30pm

Venue: Late Pa Samuel Ukpai Nnachi's Compound

Accept the assurances of my highest regards.

(Signed)

Senator Michael Ama Nnachi, Ph.D.

4. Petitions:

Rising on Order 40, Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to a petition from the entire members of Rumucheta Family of Mgbuesilaru Community in Okporo Kingdom in Obio/Akpor Local Government Area of Rivers State, against the Nigerian Air Force, over an alleged trespass to their ancestral land. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within two (2) weeks.

5. Personal Explanation:

Rising on Order 42, Senator Aliyu S. Abdullahi (*Niger North*) drew the attention of the Senate to the onslaught of bandits in his Senatorial District on Monday, 14th March, 2022. He stated that the bandits came in large number from Zamfara forest on motorcycles with sophisticated weapons and had a temporary camp at Libele forest in Anaba Ward, Magama Local Government Area. On Tuesday, 15th March, 2022, the bandits attacked the Divisional Police Headquarters in Nasko where the Divisional Police Officer (DPO) and nine (9) other Police Officers and Vigilante Corps personnel were killed. He urged the Senate to observe a minute silence in the honour of the people killed by the bandits.

One minute silence observed in honour of the deceased.

6. Privileges:

Rising on Orders 10 and 11 and Sections 4, 228 and 318 of the Constitution of the Federal Republic of Nigeria, 1999 (As amended), Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to the Judgement of an Abia State High Court nullifying Section 84(12) of the Electoral Act, 2022. He stated that his privilege and that of the Senate had been breached, especially with respect to Section 4 of the Constitution which empowers the National Assembly to make laws for the peace, order and good governance of the Federation. He further stated that Section 318 of the Constitution only applies to Civil Servants and not Political Appointees. He urged the Senate to debate the matter.

By the Leave of the Senate, the matter deferred to the next legislative Day for Debate.

7. **Presentation of Bills**

- (i) Federal College of Education (Technical) Aghoro, Bayelsa State (Establishment) Bill, 2022 (HB. 1429) — *Read the First Time.*
- (ii) Federal Capital Territory Abuja Area Courts Act (Amendment) Bill, 2022 (HB. 67) — *Read the First Time.*
- (iii) National Environmental Standards and Regulations Enforcement Agency Act (Amendment) Bill, 2022 (SB. 915) — *Read the First Time.*
- (iv) Army Colour (Prohibition of Use) Act (Amendment) Bill, 2022 (SB. 924) — *Read the First Time.*
- (v) Compulsory Treatment and Care for Victims of Gunshots Act, 2017 (Amendment) Bill, 2022 (SB. 958) — *Read the First Time.*

8. **Motion**

Re-Committal of some Clauses of the National Agricultural Development Fund (Establishment) Bill, 2022 to the Committee of the Whole:

Motion made: That the Senate *recalls* that the National Agricultural Development Fund (Establishment) Bill, 2022 was passed by the Senate and the House of Representatives and was transmitted to Mr. President, Commander-in-Chief of the Armed Forces of the Federation for Assent;

observes that after critical examination of the Bill by Mr. President, Commander-in-Chief of the Armed Forces of the Federation, some fundamental issues which require fresh legislative action on Clauses 2,3,10, 11 and 12 were observed;

aware that a Technical Committee of the Senate and House of Representatives met and worked on the affected Clauses of the Bill;

desirous of the need to address the observations by the Committee and make necessary amendments; and

Relying on Order I(b) of the Senate Standing Orders, 2022 (As amended).

The Senate accordingly resolves to:

rescind its decision on the affected Clauses of the Bill as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*Senate Leader*).

Debate:

Proposed Resolution:

Question: That the Senate do rescind its decision on the affected Clauses of the Bill as passed and re-commit same to the Committee of the Whole for re-consideration and passage — *Agreed to.*

Resolved:

That the Senate do rescind its decision on the affected Clauses of the Bill as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*S/Res/078/03/22*).

Motion made: Pursuant to Resolution No. (*S/Res/078/03/22*), that the Senate do resolves into the Committee of the Whole to consider the Bill (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL AGRICULTURAL DEVELOPMENT FUND FOR THE PURPOSE OF PROVIDING FUNDING FOR AGRICULTURAL DEVELOPMENT IN NIGERIA; AND FOR RELATED MATTERS, 2022.

Clause 2: Sources of the Development Fund.

- (1) The Development Fund shall consist of:
- (a) (i) an amount constituting 0.5% of the total revenue accruing to the Federation Account;
 - (ii) 0.5% of the Natural Resource Development Fund;
 - (iii) 0.5% of profit after tax of each commercial bank in Nigeria;
 - (iv) 5% of the duty levied on imported rice, wheat, sugar, milk, poultry and fish; and
 - (b) any take-off grant and special intervention fund as may be provided by the Federal, State and Local Government of the Federation;
 - (c) such money as may be appropriated to meet the objective of this Act by the National Assembly in the budget;
 - (d) aids, grants and assistance from international bilateral and multilateral agencies, non-governmental organisations and the private sector;
 - (e) grants, donations, endowments, bequests and gifts, whether of money, land or any other property from any source;
 - (f) money derived from investment made by the Development Fund.
- (2) Subsection (1) (d) and (e) shall be acceptable to the Development Fund except where the terms and conditions attached to an aid, grant, donation or gift are inconsistent with the objective of the Development Fund and the provisions of this Bill.

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 Governing Board.

- (1) There is established for the Fund a Governing Board (in this Act referred to as "the Board").
- (2) The Board shall consist of -
- (a) a Chairman;
 - (b) one representative each of -
 - (i) Federal Ministry of Finance, Budget and National Planning

- (ii) the Federal Inland Revenue Service;
 - (iii) all Farmers Association of Nigeria;
 - (iv) all Livestocks, Fisheries and Poultry Associations in Nigeria;
 - (v) National Food Reserve Agency;
 - (vi) Bankers Association of Nigeria; and
 - (vii) the organised private sector to represent special interest;
- (c) one person to represent the Federal Ministry of Agriculture and Rural Development;
 - (d) one person to represent the Federal Ministry of Science and Technology;
 - (e) one person from each of the six geopolitical zones; and
 - (f) the Executive Secretary.
- (3) The Chairman and members shall be appointed by the President.
 - (4) The performance of the functions or exercise of the powers of the Board shall not be affected by a vacancy in the membership of the Board.
 - (5) The appointment of a member shall not be invalidated by a defect or irregularity in or in connection with his nomination or appointment.
 - (6) Members, other than ex-officio, shall be part-time members.

Schedule

- (7) The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Board and other matters contained in it.

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.

PART III — APPOINTMENT OF THE EXECUTIVE
SECRETARY AND OTHER STAFF

Clause 10: Appointment of the Executive Secretary.

- (1) There shall be for the Fund an Executive Secretary who shall be appointed by the President.
- (2) The Executive Secretary shall be a person who in the opinion of the Minister, has acquired cognate experience in any of the following disciplines -

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

Committee's Recommendation:

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

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

Clause 11: Functions of the Executive Secretary.

The Executive Secretary:

- (a) is be the Chief Executive and Accounting Officer of the Development Fund;
- (b) is be responsible for the administration of the Development Fund;
- (c) is be the Secretary to the Board;
- (d) shall keep proper records of the proceedings of the Board;
- (e) shall work closely with the Implementation Committee in discharging out such duties and responsibilities as may be assigned to him by the Board;
- (f) is in charge of the general direction and control of all other employees of the Development Fund; and

- (g) discharge such other duties as may be directed by the Board.

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.

PART IV — FINANCIAL PROVISIONS

Clause 12: Account.

- (1) The Fund shall establish and maintain an account (in this Act referred to as "the Account") from which shall be defrayed all expenditure incurred by the Fund.
- (2) There shall be paid into the Account -
- (a) annual budgetary allocation appropriated by National Assembly for the management of the Development Fund;
- (b) take -off grants and such other money as may be made available to the Trust Fund to meet the cost of administration; and
- (c) all other money which may be made available for the running of the Development 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.

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the National Agricultural Development Fund for the Purpose of Providing Funding for Agricultural Development in Nigeria; and for Related Matters, 2022 and approved as follows:

Clauses 2,3,10,11 & 12 — 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.

9. Infrastructure Development (Establishment) Bill, 2022 (SB. 919):

Motion made: That a Bill for an Act to provide for the facilitation and co-ordination of public infrastructure development to ensure that infrastructure development in the Country is given priority in planning, approval and implementation; to ensure that the development goals of the Country are promoted through infrastructure development to broaden the scope of funding for infrastructural development and to improve the management of such infrastructure during all life-cycle phases, including planning, approval, implementation and operations; and to provide for Matters Incidental Thereto, 2022 be read the Second Time (*Senator Sadiq S. Umar — Kwara North*).

Debate:

Question put and agreed to.

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

10. **Nigerian Investment Promotion Commission Act, Cap N117 Laws of the Federation of Nigeria 2004 (Amendment) Bill, 2022 (SB. 291):**

Motion made: That a Bill for an Act to amend the provisions of the Nigerian Investment Promotion Commission Act, Cap N117 Laws of the Federation of Nigeria 2004 to make provisions for Protection of Micro, Small and Medium Enterprises from unfair competition and for Other Related Matters, 2022 be read the Second Time (*Senator Uche L. Ekwunife — Anambra Central*).

Debate:

Question put and agreed to.

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

11. **Quarantine Act, Cap Q2 Laws of the Federation of Nigeria 2004 (Repeal and Re-enactment) Bill, 2022 (SB. 413):**

Motion made: That a Bill for an Act to Repeal the Quarantine Act, Cap Q2 Laws of the Federation of Nigeria 2004 and Enact the National Health Emergency Act, to make provisions for regulating and preventing the introduction into and spread in Nigeria of dangerous infectious diseases and for Other Related Matters, 2022 be read the Second Time (*Senator Chukwuka G. Utazi — Enugu North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Primary Healthcare and Communicable Diseases to report within four (4) weeks.

12. **Motion:**

Urgent need to check the alarming trend of inhuman treatment and torture of Nigerian Citizens by foreign nationals in the country.

Motion made: That the Senate notes the series of brutality and inhuman treatments occasioning the deaths of Nigerian citizens by some foreign nationals, especially of Lebanese, Turkish and Chinese descent, doing business in some major cities and rural areas in the Country;

worried about the recent case of brutality in the FCT, Abuja meted against one Anayo Friday Ndubuisi, a security personnel working with Cougars Security and Services Ltd and two others including a Chadian (a certain Amos), attached to Hussein Technical Company, Gudu District, a company in the business of servicing of caterpillars and heavy duty machineries;

further worried that on the 22nd of February, 2022, the two citizens of Nigeria and the Chadian were brutalized in a fashion so repugnant, on an allegation of theft of iron rods, which ultimately led to the death of the latter. The said torture was ordered and carried out by a Lebanese citizen working with Hussein Technical Company, in collusion with some of his Nigerian subordinates;

notes with consternation that in a bid to elicit a confession from the victims with respect to the alleged stolen iron rods, the Lebanese ordered some of his Nigerian subordinates to gag the mouths of Anayo Friday Ndubuisi and the late Chadian with rags to stifle any noise from them, beat the victims mercilessly with iron rods, tied them to a car and drove them round their premises. The Lebanese also set his dog upon the victims and the said dog attacked them;

further notes with utter dismay that the second Nigerian (a security personnel), on trying to defend and absolve Anayo Friday Ndubuisi from any allegation whatsoever was shot with an arrow, thereby leading to grievous bodily harm;

aware that some suspects have been arrested and paraded by officers of the Nigeria Police Force in connection with this nauseating crime against humanity but without the Lebanese being equally apprehended or paraded;

surprised that certain insinuations have been made by some concerned security authorities involved in the matter that since the late Chadian was an illegal migrant, little or nothing can be done about the case;

aware that the administration of criminal justice system provides protection for foreigners such as the late Chadian irrespective of his migration status; and

alarmed about the despicable level of gross subjugation of Nigerians in their own Country by some foreign nationals, noting that this type of incident has become one too many and must be urgently checked to preserve sanctity and dignity of human life at all times in accordance with our Bill of Rights as enshrined in Chapter 4 of our Constitution and other International Conventions and Protocols, bearing in mind that even in the animal kingdom, there are salient rules for hunting game.

The Senate accordingly resolves to:

- (i) condemn in the strongest of terms the dastardly acts committed against the victims, as this is seen as the height of man's inhumanity to his fellow man;
- (ii) urge the Inspector General of Police to commence thorough investigations into these wicked acts of the Lebanese in question, his dog and similar infractions by other foreign nationals, acting by themselves or in collusion with Nigerians or members of the Nigeria Police Force. Upon conclusion of investigations, those found culpable should be prosecuted in accordance with our laws to serve as a deterrent to others; and
- (iii) urge the Ministry of Labour and related Ministry, Departments and Agencies (MDAs) to take adequate steps to address the labour-related issues in respect of this case and other similar ones to ensure that the rising trend of this nature of crime and criminality is curbed (*Senator Biobaraku W. Degi-Eremienyo — Bayelsa East*).

Debate:

Proposed Resolution (i):

Question: That the Senate do condemn in the strongest of terms the dastardly acts committed against the victims, as this is seen as the height of man's inhumanity to his fellow man — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Inspector General of Police to commence thorough investigations into these wicked acts of the said Lebanese in question, his dog and similar infractions by other foreign nationals, acting by themselves or in collusion with Nigerians or members of the Nigeria Police Force. Upon conclusion of investigations, those found culpable should be prosecuted in accordance with our laws to serve as a deterrent to others — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Ministry of Labour and related Ministry, Departments and Agencies (MDAs) to take adequate steps to address the labour-related issues in respect of this case and other similar ones to ensure that the rising trend of this nature of crime and criminality is curbed — *Agreed to.*

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

“That the Senate do mandate the Committee on Police Affairs to follow-up on this matter and report progress periodically till the final outcome“ (*Senator Jibrin Isah — Kogi East*).

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

Resolved:

That the Senate do:

- (i) condemn in the strongest of terms the dastardly acts committed against the victims, as this is seen as the height of man's inhumanity to his fellow man;
- (ii) urge on the Inspector General of Police to commence thorough investigations into these wicked acts of the said Lebanese in question, his dog and similar infractions by other foreign nationals, acting by themselves or in collusion with Nigerians or members of the Nigeria Police Force. Upon conclusion of investigations, those found culpable should be prosecuted in accordance with our laws to serve as a deterrent to others;
- (iii) urge the Ministry of Labour and related Ministry, Departments and Agencies (MDAs) to take adequate steps to address the labour-related issues in respect of this case and other similar ones to ensure that the rising trend of this nature of crime and criminality is curbed; and
- (iv) mandate the Committee on Police Affairs to follow-up on this matter and report progress periodically till the final outcome (*S/Res/079/03/22*).

13. **Raw Materials Research and Development Council Act, 2022 (HB. 47) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

14. **Fisheries Institute of Nigeria (Establishment) Bill, 2022 (HB. 896) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

15. **Agricultural Research Council of Nigeria Act, (Amendment) Bill, 2022 (HB. 1820) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

16. **Federal College of Education (Technical) Yauri, Kebbi State (Establishment) Bill, 2022 (HB. 629) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 23rd March, 2022 at 10:00 a.m.
(*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:08 p.m.

Ovie Augustine Omo-Agege
Deputy President,
Senate of the Federal Republic of Nigeria