



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 15th June, 2022

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 Tuesday, 14th June, 2022.
Question was put and the Votes and Proceedings were approved.
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 June, 2022

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

Dear Distinguished Sen. President,

**CONFIRMATION OF APPOINTMENT OF JOE ANIKU MICHAEL OHIANI AS
SUBSTANTIVE DIRECTOR-GENERAL/CEO FOR THE INFRASTRUCTURE
CONCESSION REGULATORY COMMISSION**

In accordance with the provision of Section 21 (1)(a) of the Infrastructure Concession Regulatory Commission (Establishment) Act, 2005, I am pleased to forward for confirmation by the Senate, the appointment of Joe Aniku Michael Ohiani as Substantive Director-General of the Infrastructure Concession Regulatory Commission. The nominee's CV is attached herewith.

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

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

*Yours sincerely,
(Signed)
Muhammadu Buhari*

(b) Confirmation of Appointment:



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

3rd June, 2022

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

Dear Distinguished Sen. President,

**CONFIRMATION OF APPOINTMENT OF UMAR YAHAYA AS THE CO-CHAIRMAN
OF THE GOVERNING COUNCIL OF UNCLAIMED FUNDS TRUST FUNDS**

Pursuant to Section 77(5) of the Finance Act 2020, I am pleased to forward for confirmation by the Senate, the appointment of Mr. Umar Yahaya as Co-Chairman of the Governing Council of Unclaimed Funds Trust Funds. The nominee's CV is attached herewith.

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

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

*Yours sincerely,
(Signed)
Muhammadu Buhari*

4. Announcements:

(a) Notification of Resignation:

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



**SENATOR ENYINNAYA HARCOURT ABARIBE
MINORITY LEADER**

26th May, 2022

The Senate President
National Assembly
Three Arms Zone
Abuja

Your Excellency,

**NOTIFICATION OF RESIGNATION FROM MEMBERSHIP OF THE
PEOPLES DEMOCRATIC PARTY IN THE SENATE**

This is to notify you and my dear colleagues in the Senate that I have formally resigned my membership of the Peoples Democratic Party through my ward (see attached).

This also means my resignation as Minority Leader of the Senate.

I wish to thank you and my dear colleagues in the Leadership of the Senate for the warm camaraderie we enjoyed while I was Minority Leader.

My new political direction will be made known in due course.

Very Truly Yours,
(Signed)

Senator Enyinnaya H. Abaribe

(b) Notification of Resignation:

The President of the Senate read a letter from Senator Kola A. Balogun (Oyo South) as follows:



SENATOR DR. KOLA BALOGUN
OYO SOUTH SENATORIAL DISTRICT
VICE CHAIRMAN: SPORTS AND YOUTH DEVELOPMENT

10th May, 2022

Your Excellency,
Sen. Ahmad Lawan CON, Ph.D
Senate President,
Federal Republic of Nigeria,
National Assembly Complex, Three Arms Zone,
Abuja.

**NOTIFICATION OF THE RESIGNATION OF MY MEMBERSHIP
FROM THE PEOPLES DEMOCRATIC PARTY AND DECAMPING
INTO THE ALL PROGRESSIVES CONGRESS**

I write to notify the distinguished members of the Senate of the resignation of my party membership from the Peoples Democratic Party with effect from 28th April, 2022.

The decision to resign was informed by the Oyo State Governor's reign of impunity that had led him into supplanting the constitutional assigned roles of Party bureaucrats and critical stakeholders and replacing them with unilaterally declared decisions on who and who should emerge as the legitimate representatives of the people.

These unconstitutional flagrant and dictatorial procedural breaches for the emergence of leaders and representatives of the people had led to the fractionalization of the Party thus breeding several aggrieved groups within the Party and mass exodus of key leaders from the Party. These developments had laid the foundation for the failure of the party at subsequent polls and also stand to jeopardise the political future and the interest of my people who had worked assiduously to get me elected in the 2019 February elections.

Rising from the meeting of the key stakeholders in my District on 27th April, 2022, my people unanimously decided that I should resign my membership of the Peoples Democratic Party as they were ready to also resign and decamp enmasse with me into the All Progressives Congress with immediate effect.

This notification becomes exigent in order to intimate the Distinguished members of the Senate with the recent political developments in the PDP led ministrations in Oyo State and the direction in which my people and I are presently focused on.

Thank you.

(Signed)

Senator Kola Balogun

5. Petitions:

(a) Rising on Order 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to a petition from his constituent, Mr. Aaron Bluff Ovikpokpo against the Police Service Commission; Inspector General of Police; Commissioner of Police, Delta State; Divisional Police Officer, Enerhen, Delta State and others for non-payment of ₦20,000,000 Judgement Debt granted by a court of competent jurisdiction in suit No. OUHC/33/2009 dated 7th June, 2012.

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.

(b) Rising on Order 41, Senator Ayo P. Akinyelure (*Ondo Central*) drew the attention of the Senate to the following petitions:

(i) J.U. Ayogu Esq on behalf of Dr. Asekomhe Felix Emakhionmhe against the Chairman of Abuja Municipal Area Council and the Hon. Minister of FCT over an alleged abuse of office, trespass and illegal conversion of Plot Number 252 (File No. ED 10140) situated at Cadastral Zone B13, Federal Capital Territory (FCT);

(ii) Mr. Ade Kingsley Ogunmilayo against Season's Corporate World and its Management over an alleged non-refund of deposits of ₦2,000,000 and ₦14,000 payments made for blocks B17 and B28, Zhigakuchi, Maitama, Aliero Hill, FCT without allocation;

(iii) Isah Ishaq Okehi against Federal Road Safety Corps (FRSC) over an alleged vandalization of his vehicle and illegal seizure of his mobile phone;

(iv) Effiong Ita Okon of Kiddies Times against the Hon. Minister of Education over an alleged infringement/stealing of creative work - Academic Data Bank for Nigerian School Children; and

- (v) Godwin Ikwue against Chairman of West African Engineering Plants over an alleged breach of Memorandum of Understanding (MOU).

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.

6. Personal Explanation:

Rising on Order 42, Senator Abba P. Moro (*Benue South*) drew the attention of the Senate to persistent and unprovoked attacks on Benue communities. He stated that in the early hours of Sunday, June 12, 2022, a vicious and heartless attack was launched on Okpoliko, Igama, Agamudu and Effeche Communities of Edumoga, Okpokwu Local Government Area in Benue South Senatorial District that led to the loss of many lives and wanton destruction of valuables worth millions of Naira. He said that the attack occurred exactly two weeks after two young men were gruesomely murdered by marauding herdsmen in Oglewu, Ohimini Local Government Area of the Senatorial District. He urged the Senate to observe a minute silence in honour of the deceased.

One minute silence accordingly observed in honour of the deceased.

7. Presentation of Bills

- (i) National Youth Service Corps Trust Fund (Establishment) Bill, 2022 (HB. 1795) — *Read the First Time.*
- (ii) Prevention and Punishment of Torture Bill, 2022 (SB. 993) — *Read the First Time.*
- (iii) Federal Medical Centre Kafanchan, Kaduna State (Establishment) Bill, 2022 (SB. 1004) — *Read the First Time.*
- (iv) Nigerian Assets Management Agency (Establishment) Bill, 2022 (SB. 1012) — *Read the First Time.*
- (v) Nigerian Artisans Development Centre (Establishment) Bill, 2022 (SB. 1013) — *Read the First Time.*

8. Motion:

Re-committal of Environmental Health Officers (Registration, etc) Act No.11, 2002 (Amendment) Bill, 2022 to the Committee of the Whole:

Motion made: That the Senate recalls that the Environmental Health Officers (Registration, etc) Act 2002 (Amendment) Bill, 2022 was passed by the National Assembly and was transmitted to the President for assent;

observes that some fundamental issues which require fresh legislative action by both Chambers of the National Assembly emerged after a critical analysis of the Bill by Mr. President, Commander in Chief of the Armed Forces of the Federation;

aware that a Technical Committee of the Senate, House of Representatives and Directorate of Legal Services met and worked on the Bill; and

relying on orders 1(b) and 52(6) of Senate Standing Order, 2022 as amended.

The Senate accordingly resolves to:

Rescind its decision on 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/001/04/22*).

Motion made: Pursuant to Resolution No. (*S/Res/001/04/22*), that the Senate do resolve into 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 AMEND THE ENVIRONMENTAL HEALTH OFFICERS (REGISTRATION, ETC.) ACT NO. 11, 2002 TO GIVE THE COUNCIL MORE PROFESSIONAL OUTLOOK; AND FOR RELATED MATTERS, 2022

Clause 1: Amendment of Act No. 11, 2002:

The Environmental Health Officers (Registration, etc.) Act No. 11, 2002 (in this Bill referred to as the "Principal Act") is amended as set out in this Bill.

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: Amendment of section 1:

Section 1 of the Principal Act is amended -

Amendment Proposed:

The Principal Act is amended -

Immediately after the word "known" in line 1, *insert* the words "and called" and *leave out* the word "as" (*Senator James E. Manager — Delta South*)

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

- (a) in subsection (1), by substituting for the words, "Environmental Health Officers Registration", after the word, "the", in line 1, the words, "Environmental Health Council"; and
- (b) by inserting, after subsection (1), new subsections "(2)" and "(3)" -
 "(2) Any reference to the Environmental Health Officers Registration Council of Nigeria by the Principal Act shall be construed as the Environmental Health Council of Nigeria.

(3) The designation of the body specified in subsection (1) of this section shall not affect anything done or purported to be done under the designated body".

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

Clause 3: Insertion of new sections 1A and 1B.

Insert, after section 1 of the Principal Act, new sections "1A" and "1B" -

Corporate recognition of the Council.

"1A. The Council -

- (a) shall be a Council for Environmental Health based on rules and regulations made by the Minister;
- (b) is a body corporate with perpetual succession and a common seal;
- (c) may sue or be sued in its corporate name; and
- (d) may acquire, hold or dispose of any property, movable or immovable for the purpose of carrying out its functions under this Bill.

Additional powers of the Council.

1B. The Council shall be responsible for -

- (a) determining what standards of knowledge and skill are to be attained by persons seeking to become members of the profession of environmental health (in this Bill referred to as "the Profession") and improving those standards, from time to time, as circumstances may permit;
- (b) securing, in accordance with the provisions of this Bill, the establishment and maintenance of register of persons entitled to practice as members of the profession and the publication, from time to time the list of those persons;
- (c) establishing a code of conduct and reviewing same, from time to time, as the Council considers desirable for the effective practice of environmental health profession;
- (d) charging practising fees as may be determined by the Council;
- (e) registering and licensing individual and corporate environmental health practitioners in all aspects and ramifications of Environmental Health practice;
- (f) conducting examinations in the profession and awarding certificates or diplomas to successful candidates as appropriate and for such purpose, the Council shall prescribe fees to be paid in respect thereof;
- (g) setting professional environmental health practice standards and working with stakeholders to ensure compliance; and
- (h) initiating and approving training programmes desirable for the improvement of the profession".

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: Amendment of section 2:

Section 2 (1) of the Principal Act is amended by -

(a) substituting for paragraph (c), a new paragraph "(c)" -

"(c) six Environmental Health Officers, one each from the six geopolitical zones of the Federation in rotation"; and

(b) inserting, after paragraph (g), new paragraphs "(h)" and "(i)" -

"(h) one person who shall be the most Senior Licensed Environmental Health Officer from the Armed Forces or Para-Military representing the Armed Forces and Para-Military institutions in rotation; and

(i) the Coordinator of the National Institute of Environmental Health".

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: Amendment of section 3:

Section 3 of the Principal Act is amended by substituting for subsection (1), a new subsection "(1)" -

"(1) Subject to subsection (2) of this section and any direction of the Minister under this Bill, the Council shall have powers to do such things which, in its opinion, is calculated to facilitate the carrying on of its activities under this Bill."

A new subsection (2) is inserted -

"(2) The Council shall have no power to borrow or to dispose of any property except with the prior consent of the Minister".

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: Amendment of section 6:

Section 6 of the Principal Act is amended -

(a) by substituting for subsection (1) a new subsection "(1)" -

"(1) The Council shall appoint a Registrar and Chief Executive Officer who shall be a licensed Environmental Health Officer possessing not less than fifteen years cognate experience; and for the purpose of this Bill -

(a) the Registrar and Chief Executive Officer shall hold office for a term of four years and may be re-appointed for a further term of four years and no more; and

- (b) on such terms and conditions as may be specified in his letter of appointment;" and
- (b) in subsection (2), by substituting for the word, "Registrar", in line 1, and wherever it appears in the Principal Act, the words, "Registrar and Chief Executive Officer".

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: Amendment of section 8:

Section 8 of the Principal Act is amended by inserting, after subsection (1), new subsections "(1A)" - "(1C)" -

"(1A) A person shall not hold an appointment or practice as an Environmental Health Officer, Environmental Health Technician and Environmental Health Assistant in Nigeria or perform the duties ascribed thereof in Nigeria unless he is registered and licensed with the Council under the provisions of this Bill.

(1B) A registered and licensed Environmental Health Officer is entitled to practice as an Environmental Health Officer anywhere in Nigeria.

(1C) A person registered under this Bill as Environmental Health Assistant, Environmental Health Technician or Environmental Health Technologist may apply to transfer from a lower register to a higher register if he obtains an academic qualification or approved equivalent educational qualification commensurate to the requirement of the higher register he desires to transfer to and in addition he shall have had the required experience as well as passed the prescribed examination and other conditions as may be set out by the Council".

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: Amendment of section 10:

Section 10 of the Principal Act is amended -

(a) in subsection (1) (a), by inserting, after the word, "attended" in line 1, the words, "and successfully completed"; and

(b) by inserting new subsections "(3A)" - "(3D)" -

"(3A) A corporate organization desirous of practising in the environmental health field shall be entitled to be registered under this Bill as an environmental health service provider in the appropriate corporate practice areas and being so registered, to receive a registration certificate from the Council if the company satisfies the Council that such company has requisite staff and equipment to practice and shall abide by the rules made by the Council and pays the prescribed fee.

(3B) No registered person or company shall practice in any year unless he has renewed his Licence in respect of that year and this renewal shall be due every January and not later than 31st March in every licensing cycle, as prescribed by the Council.

(3C) A licensed Environmental Health Officer shall supervise Environmental Health Technicians and Environmental Health Assistants in his area of jurisdiction.

(3D) Any Environmental Health Officer, Environmental Health Technician, Environmental Health Assistant or Environmental Health Service Provider who, in respect of any year, practices without renewing his practice/operational Licence/permit, commits an offence and is liable on conviction -

- (a) in the case of first time offender, to a fine of twice the prescribed practising fee;
- (b) in the case of a second or subsequent offender to a fine of not less than ten times the prescribed practising fee;
- (c) by inserting, after subsection (6), a new subsection "(7)" -

"(7) A registered Environmental Health Officer shall be issued a practising seal, subject to the rules, guidelines and direction made by the Council"

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: Amendment of section 13:

Section 13 of the Principal Act is amended by inserting, after subsection (3), a new subsection "(4)" -

"(4) The head of every faculty, department, institute or school of environmental health in tertiary educational institutions in Nigeria shall furnish the Council with the list of candidates admitted or enrolled into a programme in environmental health and the list of candidates successful at the final environmental health examination immediately after the release of the result within three months of each event respectively".

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: Substitution for section 17:

Substitute for section 17 of the Principal Act, a new section "17" -

"17. A person or firm who holds himself out to be so registered or uses any name, title, description, dress or symbol calculated to lead any person to infer that he is so registered, commits an offence and is liable on conviction for -

- (a) a first time offender, to a fine of not less ₦50,000.00 or to a term of imprisonment for six months or both; and

- (b) a second or subsequent offender, to a fine of not less than ₦100,000.00 or a term of imprisonment not less than one year or more than three years".

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: Amendment of section 19:

Section 19 of the Principal Act is amended -

- (a) in subsection (3), by substituting for the words, "five thousand Naira" in line 2, the figures, ₦100,000.00"; and
- (b) by substituting for subsection (4), a new subsection "(4)" -

"(4) Where the offence under section 17 of this Bill or any other offence under this Bill is committed by a body corporate and is proved to have been committed with the connivance of or to be attributable to any neglect on the part of any head, director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, commits an offence and is liable on conviction to a fine of not less than ₦500,000.00 or to a term of imprisonment for six months for the head, director, manager, secretary or other similar officer of the body corporate".

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: Substitution for section 20:

Substitute for section 20 of the Principal Act, a new section "20" -

"20. (1) A suit shall not commence against the Council before the expiration of a period of three months, after a written notice of intention to commence the suit shall have been served on the Council by the intending plaintiff or his agent and the notice shall clearly state the -

- (a) cause of action;
- (b) particulars of the claim;
- (c) name and place of abode of the intending plaintiff; and
- (d) relief which the plaintiff claims.
- (2) The notice referred to in subsection (1) and summons, notice or other document required or authorised to be served on the Council under the provisions of this Bill or any other enactment or law may be served by -
- (a) delivering the same to the registered office of the Council.

Cap. P41, LFN, 2004.

- (3) In all litigations against the Council, the provisions of the Public Officer's Protection Act shall apply".

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: Substitution for section 27:

Substitute for section 27 of the Principal Act, a new section "27" -

"27. The Minister may make rules and regulations on the advice of the Council as are necessary or expedient for efficient regulation of environmental health and sanitation practice to prescribe -

- (a) the professional methodologies and standards for private sector participation in the work of the Council;
- (b) the fees to be paid for services rendered by the Council; or
- (c) generally for the purpose of carrying out or giving full effect to the functions of the Council under this Bill".

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. Amendment of section 28:

Section 28 of the Principal Act is amended by inserting, in alphabetical order, the following new definitions -

"Environmental health" -

- (a) means the control of those aspects of human health and disease that are determined by factors in the environment; and
- (b) includes the theory and practice of assessing and controlling factors in the environment that can potentially affect health;

"Environmental Health Officer" means any person registered in accordance with the relevant sections of this Bill and holding a valid practice licence; and

"Environmental Health Service Provider" means any company registered to provide environmental health services by the Council and holding a valid practice licence.

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: Amendment of First Schedule:

The First Schedule to the Principal Act is amended, by substituting for paragraph 2 (1), a new paragraph "2 (1)" -

"2. (1) Subject to the provisions of this paragraph, a member of the Council, other than those in section 2 (1) (c), (e), (f), and (h), shall hold office for a term of four

years from the date of his appointment and may be eligible for re-appointment for another term of four years and no more".

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: Amendment of Third Schedule:

The Third Schedule to the Principal Act is amended by inserting, after paragraph (d), new paragraphs "(e)" - "(h)" -

"(e) Bachelor of Environmental Health Science or Bachelor of Technology in Environmental Health from an institution recognized by the Council, for Environmental Health Officer;

(f) Higher National Diploma in Environmental Health from an institution recognized by the Council, for Environmental Health Technologist;

(g) National Certificate for Environmental Health Technicians from an institution recognized by the Council, for Environmental Health Technician; and

(h) National Certificate for Environmental Health Assistants from an institution recognized by the Council, for Environmental Health Assistant".

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: Citation:

This Bill may be cited as the Environmental Health Officers (Registration, etc.) Act, (Amendment) Bill, 2022.

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.

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 amend the Environmental Health Officers (Registration, etc) Act No. 11, 2002 to give the Council more Professional Outlook; and for Related Matters, 2022 and approved as follows:

Clause 1	—	As Recommended
Clause 2	—	As Amended
Clauses 3 - 17	—	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. **Federal University of Education (Technical) Bichi (Establishment) Bill, 2022 (SB. 521):**

Motion made: That a Bill for an Act to provide for the Establishment of the Federal University of Education (Technical) Bichi and for Other Matters Connected Therewith, 2022 be read the Second Time (*Senator Barau I. Jibrin — Kano North*).

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.

10. **National Commission for the Eradication of Child Destitution in Nigeria (Establishment) Bill, 2022 (SB. 42):**

Consideration of Bill deferred to another Legislative Day.

11. **Nigerian Education Bank Act Cap 104 LFN 2004 (Repeal & Re-enactment) Bill, 2022 (SB.1006):**

Motion made: That a Bill for an Act to Establish the National Student Financial Aid Scheme to provide for the granting of loans to eligible students at Higher Institution and repeal the provisions of the Nigerian Education Bank Act Cap 104 LFN 2004 and for Other Matters Connected Therewith, 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 Tertiary Institutions and TETFUND to report within Four (4) weeks.

12. **Motions:**

(a) ***The need to investigate Admission of Inmates and Operations of Borstal Facilities across Nigeria:***

The Senate *notes* that the Nigerian Criminal Justice System is made up of the Police, the Judiciary and the Nigerian Correctional Service;

notes also that the effectiveness or otherwise of the system is predicated on how the different units interact in the discharge of their constitutionally assigned duties;

aware that the Correctional Service is vested with the responsibility of incarcerating persons convicted of crimes, ensuring that deviants are securely separated from the society, while attempting to rehabilitate, reform and reunite such persons with the Community as better and law abiding persons;

also aware that the Nigerian Correctional Service is made up of Prisons and the Borstal Institutions, vested with the responsibility of housing juvenile delinquents for the purpose of reformation;

further aware that the Borstal Institutions attempt to keep delinquents out of prison and away from adult offenders, to avoid molestation and negative influence that can make them to become repeat offenders;

notes that at the moment, there are only three borstal facilities in Nigeria, situated in Kaduna, Abeokuta and Ilorin;

further notes that these Borstal facilities were established to admit only male juvenile delinquents between ages sixteen and twenty-one as at the day of conviction;

aware that Clause 9 of the Borstal Institutions and Remand Centres Act - Subsidiary Legislation, 1962 provides that Delinquents are to be admitted into the institution with a warrant from the court, committing them to a sentence of borstal training; and provides for three months observation period of the inmates;

further aware that Clause 123 of the Subsidiary Legislation also provides that Courts of competent jurisdiction may pending determination of suitability for Borstal training, order remand or detention in a Remand Centre or Borstal, provided that persons are not less than sixteen years but under twenty-one years of age;

concerned that a publication titled 'Inside Ilorin Borstal Home where deviant children learn life lesson the hard way' authored by Temitope Mustapha and published by the International Centre for Investigative Reporting (ICIR) in September 2020, alludes to young persons being held in the facility without any conviction or directive of the Courts;

also concerned that the Publication also alludes to a statement by officials of the Institute stating that none of these minors and young persons is in conflict with the law;

disturbed that some of these young persons were said to have been admitted to the facility when they were younger than sixteen, the minimum age prescribed by law;

further disturbed that on page three of Daily Trust Newspaper published on Thursday 10th March, 2022 titled 'Not yet Uhuru: Dilemma of Children freed from Borstal Facility', the author, Hameed Oyegbade documents the experiences of teenagers tricked to the facility, under the guise that they were being sent off to boarding school;

notes with concern that the reasons given for this include evasion of parental responsibility and allegations of stubbornness, truancy, substance abuse and smoking, amongst others;

saddened that the publication further alleges that one of the two hundred and twenty inmates of the Borstal facility, Ilorin, only seven (7) have reasons to be there;

opines that this unjustifiable incarceration without due process is in breach of the Borstal Institutions Act LFN 2004, the Child Rights Act and the Fundamental Human Rights of every Nigerian, as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

aware that Federal Ministry of Justice, in collaboration with the United Nations Children Education Fund (UNICEF) in its Juvenile Decongestion Programme, released one hundred and twenty two (122) inmates, with UNICEF setting up a re-integration plan to ensure smooth transition into society;

also aware that going by these numbers, there are young Nigerians still being held against their will, even though they have not committed any crimes known to law;

worried that unless this is looked into and the system reformed, we may be institutionalizing the 'creation of criminals'; and

conscious and determined to ensure the protection of every Nigerian, particularly minors and other vulnerable persons.

The Senate accordingly resolves to:

- (i) mandate its Committees on Judiciary, Human Rights and Legal Matters; and Interior to investigate the circumstances surrounding the admission of each inmate of the Borstal Facilities and come up with appropriate recommendations to the Senate;
- (ii) urge the Federal Ministry of Justice to ensure prosecution of any officials of the Correctional Service found complicit in the unjustified incarceration of minors;
- (iii) urge the relevant authorities to ensure strict implementation of the Child Rights Act; and
- (iv) urge State Assemblies across the Country to domesticate the Child Rights Act, 2003 (*Senator Oluremi S. Tinubu — Lagos Central*).

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate its Committees on Judiciary, Human Rights and Legal Matters; and Interior to investigate the circumstances surrounding the admission of each inmate of the Borstal Facilities and come up with appropriate recommendations to the Senate — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Ministry of Justice to ensure prosecution of any officials of the Correctional Service found complicit in the unjustified incarceration of minors — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the relevant authorities to ensure strict implementation of the Child Rights Act — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge State Assemblies across the Country to domesticate the Child Rights Act, 2003 — *Agreed to.*

Resolved:

That the Senate do:

- (i) mandate its Committees on Judiciary, Human Rights and Legal Matters; and Interior to investigate the circumstances surrounding the admission of each inmate of the Borstal Facilities and come up with appropriate recommendations to the Senate;

- (ii) urge the Federal Ministry of Justice to ensure prosecution of any officials of the Correctional Service found complicit in the unjustified incarceration of minors;
- (iii) urge the relevant authorities to ensure strict implementation of the Child Rights Act; and
- (iv) urge State Assemblies across the Country to domesticate the Child Rights Act, 2003 (S/Res/002/04/22).

(b) ***Killing of Worshippers in Owo, Ondo State:***

Motion made: That the Senate notes with deep concern the attack on worshippers on Sunday, 5th June, 2022 at St Francis Catholic Church, Owo, Ondo State;

notes with sadness that the attack on St Francis Catholic Church in Owo led to the killing of 40 worshippers and about 80 worshippers suffered varied degrees of fatal injuries;

further notes that the attackers deployed dynamite and heinously massacred aged persons, women and children at St. Francis Catholic Church in Owo;

notes that such massacre could lead to inter-religious conflicts and ethnic war in Nigeria; and

further notes reports of killings of Nigerians across different parts of the Country.

The Senate accordingly resolves to:

- (i) condemn in strong terms the attack on St Francis Catholic Church in Owo and the killing of worshippers;
- (ii) observe a minute silence in memory of victims who were killed in Owo, Ondo State;
- (iii) commiserate with the families of the victims, the Catholic Church, the people and the Government of and a State;
- (iv) send a delegation to condole the people and the Government of Ondo State; and
- (v) urge the Security Agencies to intensify efforts to investigate the matter with the aim of bringing perpetrators to book and as well deploy drones and helicopters to monitor forests and ungoverned areas in Nigeria, to identify illegal camps of Armed Bandits throughout the country (*Senator Robert A. Boroffice — Ondo North*)

Debate:

Proposed Resolution (i):

Question: That the Senate do condemn in strong terms the attack on St Francis Catholic Church in Owo and the killing of worshippers — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do observe a minute silence in memory of victims who were killed in Owo, Ondo State — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do commiserate with the families of the victims, the Catholic Church, the people and the Government of and a State — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do send a delegation to condole the people and the Government of Ondo State — *Agreed to.*

Proposed Resolution (v):

Question: That the Senate do urge the Security Agencies to intensify efforts to investigate the matter with the aim of bringing perpetrators to book and as well deploy drones and helicopters to monitor forests and ungoverned areas in Nigeria, to identify illegal camps of Armed Bandits throughout the country — *Agreed to.*

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

“Urge the Security Agencies to collaborate among themselves on intelligence gathering and sharing in a very discrete and organised form, at Local, State and Federal levels” (*Senator Isah Jibrin — Kogi East*).

Resolved:

That the Senate do:

- (i) condemn in strong terms the attack on St Francis Catholic Church in Owo and the killing of worshippers;
- (ii) observe a minute silence in memory of victims who were killed in Owo, Ondo State;
- (iii) commiserate with the families of the victims, the Catholic Church, the people and the Government of and a State;
- (iv) send a delegation to condole the people and the Government of Ondo State;
- (v) urge the Security Agencies to intensify efforts to investigate the matter with the aim of bringing perpetrators to book and as well deploy drones and helicopters to monitor forests and ungoverned areas in Nigeria, to identify illegal camps of Armed Bandits throughout the country; and
- (vi) urge the Security Agencies to collaborate among themselves on intelligence gathering and sharing in a very discrete and organised form, at Local, State and Federal levels (*S/Res/003/04/22*).

One minute silence observed in honour of the deceased.

13. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 21st June, 2022 at 10.00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:40 p.m.

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