



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 24th January, 2019

1. The Senate met at 11:05 a.m. The Deputy Senate President read Prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 23rd January, 2019.

Question was put and the Votes and Proceedings were approved.

3. **Messages from Mr. President:**

The Deputy Senate President 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) ***New National Minimum Wage (Amendment) Bill, 2019:***



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

22nd January, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**APPROVAL OF A NEW NATIONAL MINIMUM WAGE FOR
NIGERIAN WORKERS - AMENDMENT OF THE NATIONAL
MINIMUM WAGE (AMENDMENT) ACT, 2011**

The purpose of this letter is to forward to you for legislative action, a new Minimum Wage Bill, to further amend the National Minimum Wage (Amendment) Act, 2011, in order to give a new National Minimum Wage of Twenty Seven Thousand Naira (₦27,000.00) per month to the lowest paid Nigerian worker from the current Eighteen Thousand Naira (₦18,000.00) per month. This new Bill and the amendments contained therein were arrived at after consultations by the Tripartite

Committee on National Minimum Wage which was constituted by me in November, 2017, to consider, make recommendations, and advise the Government on this issue. The Tripartite Committee comprised representatives of the Federal Government, Governor's Forum, Organised Private Sector, and the Organised Federations of Trade Unions in Nigeria.

The Federal Executive Council, National Economic Council, and the National Council of States have all noted and approved these recommended amendments. Other highlights of the amendments include:

- i. Exemptions for Establishments employing less than twenty five (25) persons;*
- ii. Five (5) years review period of the Act in consonance with the Constitutional review period for Pensions;*
- iii. Alterations in the amount of fines payable by defaulters on prosecution.*

Bearing in mind that the issue of prescribing a National Minimum Wage for the Federation or any part thereof is within the Exclusive Legislative List of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and listed as item No. 34 of Part 1 of the Second Schedule, it is my pleasure to forward this Bill for expeditious action.

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

Yours sincerely,

(Signed)

Muhammadu Buhari

(b) Presidential Decision to Decline Assent:



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

17th January, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE
PROHIBITION OF DOUBLE TAXATION BETWEEN THE FEDERAL
REPUBLIC OF NIGERIA AND THE REPUBLIC OF KOREA
(DOMESTICATION AND ENFORCEMENT) BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 17th January, 2019 to decline Presidential Assent to the Prohibition of Double Taxation between the Federal Republic of Nigeria and the Republic of Korea (Domestication and Enforcement) Bill, 2018 recently passed by the National Assembly.

I am declining assent because the Bill and the schedules as passed are not a true reflection of the Agreement signed between the Federal Republic of Nigeria and the Republic of Korea. The variance between the Bill and the actual Bilateral Agreement it seeks to domesticate include the following:

- i. *The provisions on Non-Discrimination, which is Article 24 of the Agreement, was completely omitted from, the First-Schedule to the passed Bill.*
- ii. *The word "Prohibition" was used in the Title, Explanatory Memorandum, Arrangement of Sections, Preamble, Section 1 and Section 3 of the Passed Bill. The word used in the preamble and title of the signed Agreement is "Avoidance"*
- iii. *The phrase "Republic of South Korea" was indicated in the Title, Explanatory Memorandum, Arrangement of Sections, Preamble, as well as Sections 1-3 of the passed Bill. This should be changed to "Republic of Korea" which is the official name of the country that signed the Agreement.*
- iv. *The order of "Nigerian tax" items (i)-(vi) in paragraph 1 (a) of Article 2 of the Schedule to the passed Bill is different from the order in which the taxes were listed in the signed Agreement. This will create citation problems between the Agreement to be implemented in Nigeria and in the Republic of Korea.*

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

*Yours sincerely,
(Signed)
Muhammadu Buhari*

4. Announcement:

Acknowledgment:

The Deputy Senate President acknowledged the presence of the Staff and Students of Beautiful Future Schools, Lugbe, Abuja who were at the gallery to observe Senate Proceedings.

5. Petition:

Rising on Rule 41, Senator Andrew I. Uchendu (*Rivers East*) drew the attention of the Senate to a petition from his constituent, Dr. (Mrs) D. Charles-Granville, against University of Port Harcourt, over interference in the affairs of the Graduate Programme of the Department of Fine Art and Design. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

6. New National Minimum Wage (Amendment) Bill, 2019:

Rising on Rule 79 Senator Ahmad I. Lawan (*Yobe North*) moved for the suspension of this Rule to allow for the First and Second Readings of New National Minimum Wage for Nigerian Workers.

Question put and Agreed to.

National Minimum Wage Act 2011 (Repeal and Re-enactment) Bill, 2019 — *Read the First Time.*

Motion made: That a Bill for an Act to Repeal the National Minimum Wage Act 2011 and enact a New National Minimum Wage, to provide for an increase in emolument of Nigerian Workers and for Other Related Matters, 2019 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Ad hoc Committee on New National Minimum Wage (Repeal and Re-enactment) Bill, 2019 to report within two (2) weeks.

Ad hoc Committee:

The Deputy Senate President named the following Senators as Chairman and Members of *Ad hoc* Committee on a New National Minimum Wage (Repeal and Re-enactment) Bill, 2019:

(i)	Senator Olusola Adeyeye	—	Chairman
(ii)	Senator Abu Ibrahim	—	Member
(iii)	Senator Shehu Sani	—	Member
(iv)	Senator Samuel O. Egwu	—	Member
(v)	Senator Suleiman A. Adokwe	—	Member
(vi)	Senator Francis A. Alimikhena	—	Member
(vii)	Senator Solomon O. Adeola	—	Member
(viii)	Senator Binta Garba Masi	—	Member

7. Committee on Tertiary Institutions and TETFUND:

Motion made: That the Senate do receive the Reports of the Committee on Tertiary Institutions and TETFUND on the following Bills:

- a. Federal University of Aquatic Studies, Ogbaru, Anambra State (Establishment, etc.) Bill, 2019 (SB. 670);
- b. Federal University of Agriculture, Zuru, Kebbi State (Establishment, etc.) Bill, 2019 (SB. 686),;
- c. Federal University of Education, Kontagora, Niger State (Establishment, etc.) Bill, 2019 (SB. 689); and
- d. School of Mines and Geological Studies, Guyuk, Adamawa State (Establishment, etc.) Bill, 2019 (SB. 706) (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to.

Reports Laid.

8. National Commission for Mental Health and Substance Abuse Services (Establishment, etc.) Bill, 2019 (SB.706):

Motion made: That a Bill for an Act to provide for the enhancement and regulation of Mental Health and Substance Abuse Services, to protect persons with mental health needs and the establishment of National Commission for Mental Health and Substance Abuse Services for the effective management of mental health in Nigeria and for Other Related Matters, 2019 be read the Second Time (*Senator Ahmad M. Abubakar — Adamawa South*).

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 two (2) weeks.

9. Conference Committee:

Report on the Institute of Chartered Biochemists and Molecular Biologists of Nigeria Bill, 2019 (SB. 283):

Motion made: That the Senate do receive and consider the Conference Committee Report on the Institute of Chartered Biochemists and Molecular Biologists of Nigeria Bill, 2019 (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Question put and agreed to.

Report Laid and presented.

REPORT OF THE SENATE COMMITTEE ON ESTABLISHMENT AND PUBLIC SERVICE ON THE PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE INSTITUTE OF CHARTERED BIOCHEMISTS AND MOLECULAR BIOLOGISTS OF NIGERIA BILL, 2019

Provision of the Bill	Committee Recommendation	Remarks
13(2) For the purposes of performing the duty in sub-section (1) of this section, the education Committee may appoint; either from among its members or otherwise, persons to visit approved institutions to undertake inspection of their laboratories and facilities for the purpose of accreditation or attend such examinations.	13(2) For the purposes of performing the duty in Sub-section (1) of this Section, the Education Committee may appoint; either from among its members or otherwise, persons to visit approved institutions to undertake inspection of their laboratories and facilities for the purpose of appraisal of the program or examinations.	
(3) Any institution who's Biochemistry and Molecular Biology programme has not been accredited by the Institution of Chartered Biochemists and Molecular biology shall not be allowed to admit candidates for the training of Biochemistry and Molecular Biology and the Institute shall have power to direct closure of such programmes.	(3)(a) The Institute shall collaborate with the National Universities Commission (NUC) or National Board of Technical Education (NBTE) in the accreditation of courses in tertiary institutions. (b) Graduates of institutions whose Biochemistry and Molecular Biology program are not accredited by the National Universities Commission (NUC) or National Board of Technical Education (NBTE) shall not be admitted to the Institute of Chartered Biochemists and Molecular Biologists.	
(8) The Chairman shall be an academia in any tertiary institution in Nigeria.	(8) The Chairman of the Committee shall be an academic in any tertiary institution in Nigeria and shall be elected like other members at the Annual meeting of the Institute.	
14 (2) The Practice Committee shall consist of five members elected during the Institute's Annual General Meeting and all members shall be practicing Certified Biochemists or Molecular Biologists.	14(2) The Practice Committee shall consist of five members (including the Chairman) elected during the Institute's Annual General Meeting and all members shall be practicing Certified Biochemists or Molecular Biologists.	

Report accordingly adopted.

10. Committee on Defence:

Report on the Defence Research and Development Bureau (Establishment, etc) Bill, 2019 (SB. 623): Motion made: That the Senate do receive and consider the Report of the Committee on Defence on the Defence Research and Development Bureau (Establishment, etc.) Bill, 2019 (*Senator Abubakar Kyari — Borno Central*).

Question put and agreed to.

Report 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 ESTABLISH THE DEFENCE RESEARCH AND DEVELOPMENT BUREAU (DRDB) TO INITIATE AND CONDUCT ROBUST RESEARCH AND DEVELOPMENT IN THE ARMED FORCES IN NIGERIA; AND FOR RELATED MATTERS, 2019.

PART I - ESTABLISHMENT OF DEFENCE RESEARCH AND DEVELOPMENT BUREAU

Clause 1: Establishment of Defence Research and Development Bureau:

- (1) There is established the Defence Research and Development Bureau (in this Bill referred to as "the Bureau").
- (2) The Bureau:
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) may sue or be sued in its corporate name; and
 - (c) may acquire, hold or dispose of moveable or immoveable property.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 2: Objectives of the Bureau:

- (1) The Objectives of the Bureau are to:
 - (a) initiate and conduct robust research and development of the Armed Forces of Nigeria (AFN);
 - (b) coordinate the research and development efforts of the three Services of the Nigerian Armed Forces;
 - (c) crystallize the results of scientific and technical research on defence items and equipment for public and private institutions;
 - (d) provide scientific-technical information to the Armed Forces of Nigeria and allies;
 - (e) initiate new scientific, technological and environmental research on defence matters;
 - (f) disseminate results of scientific research which are likely to advance defence, industrial and agricultural development;
 - (g) organise and coordinate research in natural and Technological sciences relating to defence matters;
 - (h) collaborate with Universities in scientific and technological research;

- (i) collaborate with other national and international institutions in the promotion and transfer of science and technology relating to defence;
- (j) promote science culture in the Armed Forces;
- (k) establish study groups to examine defence research needs in existing industries such as food, diagnosis and therapy of military related diseases, plastic and pharmaceutical and propose long term research programs for them;
- (l) undertake all such activities or things as are necessary or expedient for the carrying out of the objectives of the Bureau and promotion of research and development into military science and technology;
- (m) undertake all such activities or things as are necessary or expedient for carrying out the objectives of the Bureau and promotion of research and development into military science and technology, as well as social sciences and environmental related challenges affecting the AFN.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Functions of the Bureau:

- (2) The Bureau shall:
 - (a) enter into such agreements, liaisons! memoranda of understanding, cooperation, partnership, etc. with such institutions, agencies, corporations etc. as may be necessary from time to time or desirable, subject to the approval of the Governing Council;
 - (b) be responsible for the discipline and welfare of its members;
 - (c) deal with matters relating to the discipline of military personnel in the Bureau according to the Armed Forces Act;
 - (d) conduct and sponsor studies and researches in military industrial production and related fields of studies;
 - (e) engage top quality staff of international standard aimed at creating a centre of excellence in mandated fields of study;
 - (f) accept gifts, legacies and donations, provided that the terms and conditions attached to such gifts, legacies or donations are not inconsistent with the objectives and purpose of the Bureau;
 - (g) erect, provide, equip and maintain laboratories, workshops, libraries, lecture halls and other buildings as are necessary for the attainment of the objectives of the Bureau;
 - (h) hold public lectures, symposia and seminars;
 - (i) undertake printing and selling of books and journals;

- (j) subject to any limitation or condition imposed by statute, invest any money belonging to the Bureau by way of endowment, whether for general or special purposes or such other money as may not be immediately required for current expenditure in any investment or security in the purchase or improvement of land, with power to vary any such investment and deposit any money for the time being not invested with any approved bank on deposit or current account;
 - (k) borrow, whether on interest or not and if need be upon the security of any of the property, moveable or immovable, of the Bureau, such money as the Council may require or it is expedient to borrow or guarantee any loan, advance of credit facilities;
 - (l) do such other things as may be required for the effective and smooth running of the Bureau; and
 - (m) do all such acts or things that are incidental to the powers listed in this section as are considered necessary to promote the objectives of the Bureau.
- (3) Where any of the provisions of this Act relating to matters affecting the objectives and functions of the Bureau is inconsistent with the Armed Forces Act, the provisions of the Armed Forces Act shall prevail.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

PART II - ESTABLISHMENT AND COMPOSITION OF THE GOVERNING COUNCIL

Clause 3: Establishment of Governing Council:

There is established for the Bureau a Governing Council (in this Bill referred to as "the Council") charged with the responsibility for:

- (a) initiating and approving the policy of the Bureau; and
- (b) giving the directions on general or specific matters.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 4: Composition of the Governing Council.

- (1) The Council shall consist of the:
 - (a) Vice-President as Chairman;
 - (b) Minister of Defence;
 - (c) Minister of Science and Technology;
 - (d) Chief of Defence Staff;
 - (e) Chief of Army Staff;
 - (f) Chief of Navy Staff;

- (g) Chief of Air Staff;
- (h) Director-General of the Bureau;
- (i) Deputy Director Coordination of the Bureau as Secretary;
- (j) three distinguished scientists, two of whom shall have relevant knowledge or competence in defence related research and development drawn from the National Academy of Science and Council of Registered Engineers, whilst the third person shall have distinguished himself in the private sector of Nigeria economy whose appointment shall be made by the Minister of Defence on the recommendation of or Manufacturing Association of Nigeria.

Schedule

- (2) The supplementary provisions set out in the schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters as set out in the Schedule.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 5: Emoluments, etc of Members.

The allowances payable to non ex-officio members of the Council shall be in accordance with such rates as may be determined by the Revenue Mobilization Allocation and Fiscal Commission.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 6: Functions of the Council.

The Council shall:

- (a) grant approval for the Bureau to enter into research and development, and production partnerships with any company, non-governmental organization, firm or individual;
- (b) appoint technical consultants to advise it from time to time as the need and situation may arise;
- (c) do such other things as are necessary for the successful performance' of its functions;
- (d) may, with the approval of the Council, establish other centres which shall be located in such places in Nigeria as may be selected by the Bureau;
- (e) make regulations generally for the purpose of giving effect to the provisions of this Bill, facilitating the performance of the Bureau's functions or pursuing the Bureau's objectives;
- (f) delegate any of its powers or functions to any person or persons, authority or committee except for its powers to approve statutes of the Bureau;

- (g) approve the nomination of the Director-General of the Bureau subject to the provision of the Armed Forces Act;
- (h) approve the creation of any office, directorate or committee as may be considered necessary or expedient for the smooth running of the Bureau;
- (i) exercise control and supervise the policies, finances and property of the Bureau; and
- (j) do such other things as are necessary for the effective performance of the functions of the bureau.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 7: Functions of the Secretary to the Council.

- (1) The Secretary of the Council shall be in charge of the Secretariat of the Council.
- (2) The Secretary of the Council shall, in addition to such other functions and duties as the Council may assign to him:
 - (a) prepare the minutes of meetings of the Council and its Committees;
 - (b) keep and secure the records of the Council;
 - (c) issue notices of meetings of the Council and other correspondence as may be directed by the Vice- President; and
 - (d) ensure proper dissemination of the decisions of the Council to the appropriate persons, institutions or authorities.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 8: Meetings of the Council.

The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times a year in accordance with the provisions of the Schedule to this Bill.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 9: Cessation of Office.

The office of a member of the Council becomes vacant if:

- (a) He ceases to hold the office on the basis of which he became a member of the Bureau or Council; or
- (b) The Chairman is satisfied that it is not in the interest of the Council or public for the person to continue in office as a member of the Council of the Bureau.

- (2) The Chairman and members of the Council:
 - (a) shall serve for a term of four years in the first instance; and
 - (b) may be eligible for re-appointment for another term of four years and no more.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

PART III - STRUCTURE OF THE BUREAU

Clause 10: Headquarters, Offices and Directorates of the Bureau.

- (1) The Headquarters of the Bureau shall be in the Federal capital Territory, Abuja.
- (2) There shall be at the Headquarters of the Bureau:
 - (a) office of the Director-General and Chief Executive Officer of the Bureau;
 - (b) Directorate of Research;
 - (c) Directorate of Development and Production;
 - (d) Directorate of Test and Evaluation;
 - (e) Directorate of Liaison;
 - (f) Directorate of Administration and Logistics;
 - (g) Directorate of Finance and Accounts; and
 - (h) any other directorates as may be approved by the Council.
- (2) Each Directorate shall be headed by a Director with an establishment rank of Major General or its equivalent in other Services, or a retired military officer of equivalent rank or a civilian with requisite professional experience and shall serve for a minimum term of three years.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 11: Maintenance of Register of Defence Related Industries.

- (1) The Bureau shall maintain a register of defence related industries in Nigeria and abroad.
- (2) There shall be entered in the register particulars of such products, services and expertise as the Bureau considers appropriate with the aim of establishing liaison and partnership on matters related to defence, research and production.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 12: Implementation of Policy.

No policy initiated in any way other than as provided for in section 6 of this Bill shall be implemented without prior reference to and approval of the Council.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

PART IV - PRINCIPAL OFFICERS AND OTHER STAFF OF THE BUREAU**Clause 13: Appointment and functions of the Director- General.**

- (1) There shall be appointed for the Bureau a Director-General, not below the rank of Major General or its equivalents in other Services, whose appointment and removal from office shall be in accordance with the Military posting on the recommendation of the Chief of Defence Staff (CDS) to the Council for approval.
- (2) The Director-General shall:
 - (a) knowledgeable in the defence related industries;
 - (b) have demonstrated experience in engineering, or science and technology; and
 - (c) responsible to the Council for:
 - (i) giving to the Council such information as to the activities of the Bureau as the Chairman of the Council may require,
 - (ii) authorising programmes and plans for giving effect to policy approved by the Council or to any direction of the Council subject to all or any of the powers in this section as may be delegated to him by the Council,
 - (iii) preparation of programmes of work and estimates of the Bureau's income and expenditure annually,
 - (iv) administration of the Bureau,
 - (v) supervision of the activities of the Directors in the Bureau, and
 - (vi) co-ordinating the activities of the Centres.
- (3) The powers delegated to the Director-General pursuant to subsection (1) shall not preclude the Council from exercising them in some special cases.
- (4) The powers referred to in subsection (3) include:
 - (a) the executive control over the military and civilian staff of the Bureau;
 - (b) the supervision of accounts and records;

- (c) the preparation for approval of programmes and plans as are necessary to carry into effect approved policy or any directive of the Council;
- (d) the interpretation of such policy to other staff of the Bureau;
- (e) the making of staff recommendations to the Council; and
- (f) the establishment of organisational structures, committees and schedule of duties:

Provided that nothing in this Bill shall be deemed to detract from the military powers of command of the Director-General.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senate Abubakar Kyari — Borno Central*) — Agreed to.

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

Clause 14: Appointment of Other Principal Officers of the Bureau.

There shall be appointed for the Bureau, other members of staff, in accordance with the provisions of section 16 of this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senate Abubakar Kyari — Borno Central*) — Agreed to.

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

Clause 15: Power to Create Offices and Directorates.

Notwithstanding the provisions of section 14 of this Bill, the Council shall have power to create any office or directorate, necessary for the efficient running of the Bureau.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Abubakar Kyari — Borno Central*) — Agreed to.

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

Clause 16: Posting and Appointment of Staff to the Bureau.

- (1) The Nigerian Army, Nigerian Navy and Nigerian Air Force shall post military officers, soldiers, rating and airmen/ from time to time, to fill administrative, command, liaison and other military vacancies in the Bureau.
- (2) The Council may appoint such persons as employable highly skilled retired officers of the Armed Forces or civilian members of staff of the Bureau for teaching, research, consulting and administration as it considers necessary and may approve terms and conditions of service.
- (3) Newly appointed members of staff of the Bureau shall, take such oaths as to secrecy and other matters as the Minister may, from time to time, direct.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Abubakar Kyari — Borno Central*) — Agreed to.

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

Clause 17: Service in the Bureau to be Pensionable.

- (1) For the military personnel serving in the Bureau, the existing law on pay, allowance and pension for military personnel shall apply.
- (2) Service in the Bureau shall be approved service for purposes of the Pension Reform Act and accordingly employees of the Bureau shall, in respect of their services, be entitled to pension and other retirement benefits as are enjoyed by persons holding equivalent offices in the public service of the Federation.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 18: Prohibition of Trade Union Activities.

- (1) No civilian personnel employed in any capacity, whether or not a member of a trade union, shall engage or take part in any union activity.
- (2) Any civilian personnel who contravenes the provisions of subsection (1), commits an offence and is liable on conviction to a fine of not less than ₦100,000 or imprisonment for a term of not less than six months or both.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

PART V - FINANCIAL PROVISIONS**Clause 19: Establishment of the Defence Research and Development Bureau Fund.**

There is established for the Bureau a Fund (in this Bill referred to as "the Fund") in which 0.1% of annual profits before tax of companies and enterprises, including multi-national companies, corporations and other organisations shall be paid into and all other funds accruing to the Bureau by way of gifts, endowments, bequest or other voluntary contributions from the state governments in Nigeria and other donors outside Nigeria.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 20: Funds for the Bureau.

- (1) The Bureau shall from the Fund defray all expenditures incurred by it for the purpose of this Bill.
- (2) There shall be paid and credited to the Fund:
 - (a) allocations from the annual budgetary provision of the Federal Government and money as may be appropriated for the Fund by the National Assembly;
 - (b) a levy of 1% of the profit before tax of companies and enterprises with an annual turnover of not below ₦100,000,000.00 and such sums paid by the companies shall be tax deductible;

- (c) trust fund from special levy or tax on all equipment, supplies and materials imported by all military and Para-military organisations in the Country;
- (d) foreign aid and assistance from bilateral and multilateral agencies;
- (e) fees charged for services rendered by the Bureau; and
- (f) all other sums accruing to the Fund by way of gifts, endowments, bequests or other voluntary contributions by persons and organizations that the terms and conditions attached to such gifts, endowments, bequest or contributions shall not jeopardise the functions and objectives of the Bureau.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 21: Expenditure of the Bureau.

The Bureau shall apply the funds at its disposal to:

- (a) research, development and production activities necessary for the achievement of the objectives of the Bureau;
- (b) undertake any other activity in connection with any of the functions of the Bureau.
- (c) publicise and promote research and development results for adoption by industrial establishments;
- (d) the cost of establishing and maintaining the Headquarters of the Bureau;
- (e) the cost of establishing and operating laboratories, development centres and units;
- (f) the training of members of staff of the Bureau and provision of scholarships and awards for specialised training of personnel;
- (g) pay the staff, overhead allowances, benefits and other administrative costs of the Bureau;
- (h) sponsor scientific or other research initiatives that could enhance the operational capability of the AFN;
- (i) support scientific or other research efforts that are in line with the mandates of the Bureau;
- (j) organise defence research and development competitions, seminars and conferences and;
- (k) any other matter related to the functions of the Bureau.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 22: Exemption From Payment of Tax.

All incomes derived by the Bureau from the sources specified in sections 19 and 20 shall be exempted from income tax.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 23: Submission of Programme, Income and Expenditure Estimate to the Council.

The Bureau shall submit to the Council, not later than 30th August in each year, its programme of work and estimates of its income and expenditure for the succeeding year.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 24: Audit and Accounts.

The Accounts of the Bureau shall be audited not later than 6 months after the end of the financial year to which they relate by Auditors in line with the guidelines issued by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 25: Annual Report.

- (1) The Bureau shall prepare and submit to the Council not later than 30th June in each year:
 - (a) a report on the activities of the Bureau;
 - (b) the audited accounts of the Bureau; and
 - (c) the auditors' report for each year preceding the report.
- (2) The Bureau shall, not later than 30th September in each year, submit to the Council the annual report of each of its Centres for the preceding year.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 26: Power to Purchase, Build or Lease Property

For the purpose of providing offices and premises necessary for the performance of its functions, the Bureau may, subject to the Land Use Act:

- (a) purchase or take on lease any interest in land, building or property; and
- (b) build, equip and maintain offices and premises.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 27: Power to Sell or Lease out Property.

The Bureau may, subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 28: Power to Borrow.

The Bureau may, with the consent of or in accordance with the general authority given to it by the Council, borrow by way of loan or overdraft from any source or money required by the Bureau for meeting its obligations in the performance of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 29: Power to Accept Gifts.

The Bureau may accept gift of land, money or property upon such terms and conditions if any, as may be specified by the person or organisation making the gift if the conditions attached by the person making the gifts are not inconsistent with the objectives of the Bureau and the Federal Government policy.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

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

Clause 30: Supremacy of the Armed Forces Act.

Where any of the provisions of this Bill relating to matters affecting the objectives and functions of the Bureau is inconsistent with the Armed Forces Act, the provisions of the Armed Forces Act shall prevail.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

Question that Clause 30 do stand part of the Bill, put and agreed to.

Clause 31: Commencement of Suit on Action and Service of Notice.

- (1) A suit shall not be commenced against the Bureau, before the expiration of a period of one month, after written notice of intention to commence the suit shall have been served upon the Bureau 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 he claims.

- (2) The notice referred to in subsection (1) and any summons, notice or other document required or authorised to be served upon the Bureau under this Bill or any other enactment or law, may be served by:
 - (a) delivering the same to the Director-General; or
 - (b) sending it by registered post to the registered address of the Bureau.
- (3) in any action or suit against the Bureau, no execution or process shall be issued against the Bureau, but if the judgment of the court is awarded against the Bureau, it may be paid from the general reserve of the Bureau.
- (4) The Bureau may retain the services of an external advocate who handles cases in court on behalf of the Bureau.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Power to Make Regulations.

The Council may make regulations generally for the purpose of giving effect to the provisions of this Bill, facilitating the performance of the Bureau's functions or pursuing the Bureau's objectives.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Interpretation.

In this Bill:

"Bureau" means the Defence Research and Development Bureau established under clause 1 (1) of this Act;

"Chairman" means the Chairman of the Council of the Bureau appointed under clause 4 (1) (a) of this Bill;

"Council" means the Governing Council, Defence Research and Development Bureau established under Clause 3 of this Act;

"external advocate" means qualified Legal practitioners not part of the Bureau but registered to and hired by the Bureau to handle its briefs;

"Fund" means the Fund of the Bureau established under clause 19 of this Bill;

"Member" means a member of the Council and includes the Chairman;

"Minister" means the Minister responsible for Defence;

"principal officer" means the Director-General and any of the Director appointed under this Bill;

"Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria;

"Secretary" means the Secretary of the Council appointed under clause 4 (1)(i) of this Bill; and

"Technical officer" include scientists, engineers and lawyers working in the Bureau.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34: Citation.

This Bill may be cited as the Defence Research and Development Bureau Bill, 2019.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senate Abubakar Kyari — Borno Central*) — *Agreed to.*

Question that Clause 34 do stand part of the Bill, put and agreed to.

SCHEDULE

Section 4 (2)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1. Subject to this Bill and section 27 of the interpretation Act, the Council may make standing orders regulating its proceedings or any of its committees.
2. At any meeting of the Council, the Chairman shall preside or in his absence, the Minister of Defence shall preside at the meeting and in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.
3. The Council shall meet not less than 4 times in each year and the Council shall meet whenever it is summoned by the Chairman.
4. The Quorum for the meetings of the Council shall not be less than 5 members of the Council.
5. The Council shall meet for the conduct of business at such places and on such days as the Chairman may appoint.
6. Any question put before the Council at a meeting shall be decided by consensus and, where this is not possible, by a majority of the votes of the members present and voting.
7. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
8. Where the Council desires to seek the advice of any person on a particular matter, the council may co-opt the person as a member for such period as it deems fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.
9. Subject to the provisions of the Act, the Council shall have power to regulate its proceedings and may, make standing orders with respect to the:
 - (a) holding of its meetings and those of its committees;
 - (b) notice to be given;
 - (c) proceedings of the council;
 - (d) keeping of minutes of such proceedings; and
 - (e) Custody and production for inspection of such minutes.

Committees

10. The Council may set up one or more committees to carry out on its behalf such functions as it may determine.
11. A Committee set up under this Schedule shall consist of such number of persons, not necessarily all members of the Council, as may be determined by the Council, and a person other than members of the Council shall hold office on the Committee in accordance with the terms of the person's appointment.
12. A decision of a Committee of the Council is of no effect until it is confirmed by the Council.

Miscellaneous

13. The fixing of the seal of the Bureau shall be authenticated by the signature of the Director-General or of any other person authorised by the Council to act for a particular purpose.
14. A contract or instrument, which if made or executed by any person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Bureau by any person generally or specially authorised by the Council to act for that purpose.
15. The validity of any proceeding of the Council or its Committees is not affected by:
 - (a) any vacancy in the membership of the Council or its Committee;
 - (b) reason that a person not entitled to do so took part in the proceedings; or
 - (c) any defect in the appointment of a member.
16. A member of the Council and any person holding office on a Committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a Committee shall:
 - (a) disclose his interest to the Council or Committee, as the case may be; and
 - (b) not vote on any question relating to the contract or arrangement.

Question: That the provision of the Schedule stand part of the Bill — *Agreed to.*

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Defence Research and Development Bureau (DRDB) to Initiate and Conduct Robust Research and Development in the Armed Forces in Nigeria; and for Related Matters, 2019 and approved as follows:

Clauses 1- 34	—	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.

11. **Committee on Communications:****Report on the Nigerian Communications Commission (NCC) Budget Proposal for the Year 31st December, 2018:**

Motion made: That the Senate do consider the report of the Committee on Communications on the Nigerian Communications Commission (NCC) Budget Proposal for the Year 31st December, 2018 (Senator Gilbert E. Nnaji — Enugu East).

Report presented.

Question put and agreed to.

Recommendations:**NIGERIAN COMMUNICATIONS COMMISSION BUDGET**

A.	Revenue Profile	₦'000
	Licensing Fees	2,860,085
	Annual Operating Levy	30,100,000
	Spectrum Fees	14,987,757
	Numbering Plan	3,300,000
	Admin Charges	286,008
	Type Approval Fees	220,000
	Sanction Fees	110,000,000
	Sundry Income	22,000
	Total Revenue	161,775,850
B.	Expenditures	
	Recurrent Expenditure	
	Establishment Costs	506,149
	Staff Costs	17,181,397
	Travel Costs	4,340,754
	Operational Costs	11,391,411
	Administration Costs	2,636,557
	Total Recurrent Expenditure	36,056,268
	Capital Expenditure	
	Internal Projects	10,475,012
	School Support Programme	17,917,825
	Consultancies	2,031,306
	Total Capital Expenditure	30,424,143
	Special Projects	
	Emergency Communications Centres	3,036,228
	ICT Parks	3,229,950
	Subscribers Database Management	1,814,468
	State Accelerated Broadband Initiative	5,610,646
	GSM & CDMA Networks QoS Driving and Online Monitoring	1,543,966
	Total Special Projects	15,235,258
	Transfer to Federal Govt.	56,832,464
	Transfer to USPF	9,030,000
	Total Budgeted Expenditure	147,578,134
	Surplus	14,197,716

RECURRENT EXPENDITURE — A

ESTABLISHMENT COSTS	₹
Rents & Rates	122,000
Insurance	363,624
Recruitment Expenses	20,525
TOTAL	506,149
STAFF COSTS	
Salaries & Wages	13,368,941
Welfare Costs	426,647
Medical Expenses	777,855
Pension & Gratuity	1,000,000
Training & Developments	1,607,955
TOTAL	17,181,397
TRAVEL COSTS	
Transport & Travelling- Foreign	3,100,370
Transport & Travelling- Local	1,162,687
Vehicle Running Expenses	63,670
Relocation Allowance	14,027
TOTAL	4,340,754
OPERATIONAL COSTS	
Printing & Stationery	36,211
Postage & Courier Services	40,182
Advertisements	1,500,000
Forum, Conf & Seminars	4,318,148
Protocol & Public Relation Expenses	75,100
Subscription and Donations	15,000
Miscellaneous Expenses	-
Dues to Int. Organisations	357,000
IT Expenses	1,206,525
Studies/Research	1,248,447
Regulatory/Enforcement Expenses	2,594,798
TOTAL	11,391,411
ADMINISTRATION COSTS	
Maintenance of Building & Equipment	515,275
Fuel & Diesel Expenses	75,586
Utilities	263,078
Entertainment	18,211
Legal & Professional Fees	578,408
General Office Expenses	204,500
Security Expenses	199,410
Audit Fees & Accountancy Fees	50,000
Management Expenses	627,319
Museum Expenses	104,760
TOTAL	2,636,557
Bank Charges	-
TOTAL RECURRENT	36,056,268

CAPITAL EXPENDITURE (INTERNAL PROJECTS)

		₦
BUILDINGS		
1	Supply and installation of Service Lift in the Commission	260,000,000
Lot	Facility Management of Digital Bridge Institute Campuses	-
	Completion works DBI Mboru	750,000,000
	Conversion of DBI Hostel Facility to NCC Annex, to solve the office space constraint in the Commission	250,000,000
	Provision of Parking Space, Infrastructure/Facility for the Staff	500,000,000
	Supply and Installation of Cradle Equipment	20,000,000
Lot	Supply and Install Retrofitted Automatic Fire Sprinkler System in the Head Office Building	60,000,000
1	Construction of Proposed Yola Zonal Office	100,000,000
1	Construction of Lagos Communications House	1,114,309,520
UPGRADE AND IMPROVEMENT WORKS ON HO INFRASTRUCTURE		
	Rehabilitation of the Commission Head Office infrastructure	-
	Installation of centralized inverter System	-
	Automated/access controlled aluminium doors in all common areas	-
	Overhaul of water treatment system	-
	Facelift of Commission's reception and entrance foyer	25,000,000
	Reconstruction of Access Ramp	5,000,000
	Removal of existing aluminium roof cover and dam proof and reroof with optimum guagealuminium roof	20,000,000
	Establishment of Admin Call Centre	-
	Rehabilitation of Facilities at the DBI Kano Campus	-
	TOTAL BUILDINGS	3,354,309,520
PLANT AND MACHINERY		
	Synchronisation of the three (3) Head Office Generator sets	65,000,000
22	Provision of 60KVA Generators for the Zonal Offices and other locations	150,000,000
	High Altitude Platform Simulation Lab	60,000,000
	VSAT Location Detection System	347,918,630
	Supply and Installation of Monitoring Tools and Lab Equipments	74,127,310
	Supply and Installation of LS Telecoms Smart Spectrum Management System	243,000,000
	Purchase of N9910X875DC Charger for Handheld AglientAnalyser	-
	Purchase of N9910X875DC extra battery for Handheld AglientAnalyser	-
	Spectrum Simulation tools	-
1	Spectrum Management Software for developing Countries (SMS4DC) upgraded version 4.1 including Training (10 Users)	18,886,262
Lot	Monitoring Tools and Accessories including RFP-1 preamplifier, with freq. range: 40 GHz to 60GHz Gain: +18 to +23dB	-
Lot	Annual Maintenance of the Spectrum Monitoring System	-
	TOTAL PLANT & EQUIPMENT	958,932,202
FURNITURE, FITTINGS AND EQUIPMENT		
Lot	Procurement of Office Furniture for Head Office and Zonal Offices	135,000,000
		57,750,000
15	Supply and Installation of Photocopy Machines	-
	Supply and Installation of Gym Equipment	-
	Upgrade of obsolete fire fighting equipment/installations and firedrills	-
	Supply and Installation of Secured Key management System	-
	Automated secured Key management system	35,000,000
5	CCTV and Security Cameras for Head and Zonal Offices - IP Based	-

1	Cash Counting machine	-
	Other Office Equipment and sustainable energy systems	130,000,000
3	Fire Proof safe and Cabinet	-
3	Large Photocopying Machine	-
	A3 Laserjet Printers	-
Lot	Kitchen Equipment	20,000,000
TOTAL INTERNAL FURNITURE AND FITTINGS		377,750,000

MOTOR VEHICLES

25	Pool Vehicles	625,000,000
1	Operational Vehicle	-
TOTAL MOTOR VEHICLES		625,000,000

ICT INFRASTRUCTURE AND SOLUTIONS

1	Upgrade of the Commission's network Perimeter Security	-
	Firewall and Web Shield	-
Lot	Document Management Solutions	-
	Relocation of the Commission's Data centre to the Ground Floor	-
	Upgrade of Software Licenses for Network Operation Center (NOC) Servers	-
	Development of Enterprise Risk Application	-
5	Additional Disk Enclosures HP SAS Drive Enclosure (with 12X 2TB Hard Drive)	-
	Upgrade of Zonal Offices Mitel PBX System	-
	Document Digitalization and Archiving System	-
	Renovation of CSIRT building to NCC standard	150,000,000
	Establishment and implementation of the telecommunications sector Computer Security Incident Response Team (CSIRT) co-ordination centre	571,000,000
	Connection of CSIRT data centre to telecommunication exchange points and installation	110,000,000
	Vendor specific workshop for the Telecommunications Sector Computer Security Incident Response Team (CSIRT) Co-ordination centre	99,600,000
	Upgrade and Installation of the Telecommunications Computer Security Incident Response Team (CSIRT)	271,925,000
	Internet Measurement/Infrastructure Survey and Mapping	120,000,000
	Integration of Microsoft Great Plains to REMITA	60,000,000
1	Revenue Assurance/Monitoring Software	1,425,000,000
1	Budget and Vote Book Management System	45,000,000
1	Finance Process & Operations Review	-
	Ethical Hacking and Forensic Investigation of the Commission's Security Network	-
	Electronic Display (LED Screen)	20,000,000
	Installation and deployment of Upgradeable Catalyst Switches	88,000,000
	Deployment of Network Access Control Solution (LAN Security)	34,000,000
	Expansion of existing Commission's Server Farm	66,456,460
	Deployment of Direct Attached Storage system for Zones	41,500,000
	Deployment of Network Monitoring and Management Tools in the HQ and NCC Zonal Offices	41,040,000
	Replacement of Power Backup Systems for SIM Card Registration Data Center	41,000,000
	Upgrade of the existing Power backup System for the Commission's ICT Backend Infrastructure	57,010,000
	Expansion of the Commission's Disaster Recovery Site	59,824,000
	Deployment of Video Conferencing Solution for EVC's Office in Kano Zonal Office	13,000,000
	Upgrade of the Existing Internet Bandwidth for the 5 Zonal Offices	45,000,000

	Deployment of Test Environment for Staging Server Application for SIM Card Registration	50,000,000
	Supply and Installation of Solar Panels	27,000,000
	Server Hardware Consumables (Hard Drives and Memory Modules)	19,040,000
	ICT Support for SIM Registration Backend	151,082,177
	Annual Maintenance and servicing of ICT Network Equipment	56,498,046
	Purchase of ID Card printing Solution and Accessories	5,813,984
	Annual Oracle License Renewal fee for SIM Registration Project	26,000,000
	Upgrade of Commission's Network - Internal firewall	26,000,000
	Annual QuickScore Maintenance Fee	30,630,350
	Supply and Installation of Crash Bollard at Zonal Offices and NCC Annex, Abuja	230,000,000
	Handheld Bomb Sniffers for the Zonal Offices and NCC annex, Abuja	120,000,000
	Supply and Installation of Real-time CCTV Camera to link the Zonal Offices	100,000,000
	Deployment of under-Vehicle Inspection System	47,100,000
	Supply and Installation of Baggage Scanner for the Annex Office	30,000,000
	Walk-through Scanner for the NCC Annex, Abuja	50,000,000
	Construction of Security Observation Tower and Perimeter Fence Lighting	28,000,000
	Supply and Installation of Electric fencing with Solar Power Solution	14,000,000
100	Procurement of New ICT Tools and Accessories	159,000,000
Lot	Incorporation of Biometric System features into the Current Access Control System (60 points) Microsoft GP Solution (Web Based Portal) for Zones including implementation	-
2	Anritsu High Performance Handheld Spectrum Analyser MS2720T with training for ten engineers	100,000,000
	Procurement of Anritsu MS2760A Ultra Frequency Conference Test Platform and relevant staff training at OEMS site	150,000,000
	Purchase of critically required laboratory equipments for the TSNI laboratory	19,500,744
	Digital Archival Information Management (DAIS)	50,000,000
	TOTAL ICT INFRASTRUCTURE AND SOLUTIONS	5,159,020,761
	TOTAL INTERNAL PROJECTS	10,475,012,483

2018 CAPITAL EXPENDITURE**CONSULTANCY & PROFESSIONAL EXPENSES****BREAKDOWN OF CONSULTANCY & PROFESSIONAL EXPENSES**

		₦
	Upgrade of e-HR Software	84,386,866
	Consultancy to Review and Design Secretariat Processes and Procedure Guidelines	35,000,000
	NCC Stakeholders Forum	30,398,000
	Development of Portal for monitoring of Commissionwide Calendar	5,000,000
	Deployment of Software for monitoring EVC's Approvals	5,000,000
	Consultancy of the procurement of maintenance of TAMSYS against system crash, hacking and to modify TAMSYS based on user experience and new regulatory requirements	25,000,000
	Consultancy to Identify and Incorporate the outcome of WRC-2015 into National Table of Frequency Allocation	-
	Review of Current Frequency Licenses	-
	Development of Communications Infrastructure Risk Management Plan	-
	Deployment of Enterprise Risk Management Software, including user training	-
	Digitisation of Stakeholder Engagement Interface (Consumers)	50,000,000
	Digitisation of Stakeholder Engagement Interface (other Stakeholders)	50,000,000
	Compliance review and implementation of the Corporate Governance Code	36,000,000
	Review of Service Providers' Consumer Code of Practice to include	

Compensation schemes to compensate consumers and thereby discourage future faults	20,000,000
Engage consultant to undertake filing and archiving of avalanche of license documents in the various registries for proper documentation	35,000,000
Development of Tariff Transparency Portal for end users access	-
Development of Project Supervisory and Supply Management Portal	-
Development of Local Content Policy/Guideline for the Telecom Industry	-
Impact of OTT services on Quality of Service	-
Consultancy for Unmanned Aerial Vehicles (UAVs) in 2.4 GHz and 5GHz unlicensed band	5,000,000
Consultancy on Guidelines for the use of 60GHz unlicensed Spectrum Band	5,000,000
Review of NCC Procurement Activities from 2015 and 2016	48,000,000
Document Reduction system (Upgrade)	15,000,000
Operational Review of Finance Department process for better efficiency	80,000,000
Engagement of a Credit Control Consultant to produce up-to-date credit control manual for the Commission	50,000,000
Consultancy for LTE QoS Performance Metric Determination	-
Determination of Regional Baseline Statistics for Data access of mobile subscribers	-
Consultancy on OTT Services and Framework Development	-
Consultancy to work with TSNI Engineers on ICNIRP benchmarking in 3 regions of Nigeria	-
Consultancy on Consumer Sensitization on Do-Not-Disturb List	-
Automation of NCC second Level Support (SLS) Ticketing System, Call Center Application and Outbound Dialing	-
Consumer Web Portal Development and Management	-
Engagement of Consultant for MVNO	-
Engagement of a proficient and seasoned Tax consultant to handle the tax obligations of the Commission	60,000,000
Review of the existing Accounting manual to reflect the changes associated with IPSAS adoption	25,000,000
Consultancy for External Liaison with Stakeholders	100,000,000
Development of PCEA Automated Central Database	158,500,000
Consultancy study on the Determination of Causes of Non-Performance in various Telecommunications Market segment	68,810,000
Financial performance Analysis of the Nigerian Telecoms Operators for the past 5 years (2012-2016)	60,000,000
Local Content Policy/Guideline for the Telecom Industry	-
Review of NCC Procurement Activities 20101-2014	-
Upgrade of Vendor Risk and Document Management System	-
Development of Code of Practice for External Inspectors	-
Development of 2016 Annual Report	-
Mid-Term Review of the NCC Strategic Management Plan	-
Development and Execution of Change Management Strategy	-
Review of NCC Performance Scorecard	-
Development of Data Privacy rules for the Telecoms industry	-
Consultancy Study on the Determination of Cost Based Pricing for retail Broadband and Data Services in Nigeria	93,200,080
Development of an automated Consumer Complaint Management	273,750,000
Consultancy for Business Process Management knowledge Transfer (Lean Six Sigma)	51,770,000
Development of Board Charter	10,000,000
Child Online Protection Initiative	153,500,000
Nigerian Internet Governance Forum (NIGF)	16,300,000
Process Mapping and upgrade of standard operating procedures	50,000,000
Review the Strategic Management plan/8-points agenda	95,334,700
Engagement of consultant to review Standard Operating Manual (SOP)	30,000,000

Strategic Partnering for Economic Growth	63,141,750
Communicating and managing transition to current strategy	14,900,000
TOTAL	2,031,306,096

SCHOOL SUPPORT PROGRAMME

500	Computers (Intel Core 2 Duo E8600 2.40GHZ with MS Windows 7)	
	License MS Office Professional	595,000,000
25	Servers 8100 Intel Core i5-660 Processor (3.330GHZ, 4MB and MS WIN 7) -20 User License	15,312,500

LAN INFRASTRUCTURE:

25	Local Area Network (Material + Installation)	131,250,000
25	VSAT High Power Broadband with 12 mths Subscription	157,500,000
25	HP Scan Jet	5,250,000
500	UPS 650VA Pro	18,375,000
25	UPS 1400 VA Pro	1,531,250
60	HP Laser Jet 2015 Printers	12,500,000
50	HP Deskjet 1280 Printers	7,437,500
1260	Computer Tables and Chairs	73,500,000
25	Training of DAP Beneficiaries	3,062,500
-	Engagement of Consultant for Technical Audit of sites	150,000,000
	Bandwidth Renewal/Reactivation of Existing DAP Sites	-

DIGITAL AWARENESS PROGRAMME CIVIL WORKS

30	Construction of Computer Laboratory 8mX10m floor space comprising of hall, Manager's Office, Server Room and 2 nos WC	306,250,000
120	Airconditioners for DAP	39,375,000
300	Branded Window Blinds @ 10 nos per site	7,875,000
30	Generators 20.5KVA Sound Proof plus installation costs inclusive of construction of concrete base, armoured cable, change over switch, generator house, transportation, etc	152,324,991
30	DAP Location Signage	1,312,500
30	Monitoring and Commissioning of Civil Works	30,000,000
30	Drawing and Supervision Fees	113,394,540

ADVANCED DIGITAL ACCESS PROGRAMME FOR TERTIARY INSTITUTIONS (ADAPTI)

2300	110 nos of Laptop Computer each for Tertiary Institutions in the 6 Geopolitical Zones and Teaching Hospitals in the North and South	1,625,250,000
-	e-Learning Suite	33,000,000
-	Monitoring and Commissioning	75,000,000

WIRELESS INTERNET CLOUD

Lot	Wireless Internet Cloud for Institutions + 1 year maintenance support in the 6 Geopolitical Zones	1,000,000,000
50	Bandwidth Renewal for Existing Wireless Cloud	902,500,000
40	Monitoring and Official Commissioning	30,000,000
	Data Sharing and e-Learning Platform	
4	Data Sharing and e-health platform in six (6) University Teaching Hospitals in the Northern Zone (ASUU INTERVENTION)	291,666,666
Lot	Data Sharing and e-health platform in six (6) University Teaching Hospitals in the Southern Zone(ASUU INTERVENTION)	291,666,666
-	Data Sharing and e-learning platform in six (6) University Teaching Hospitals in the Northern Zone(ASUU INTERVENTION)	291,666,666
-	Data Sharing and e-learning platform in six (6) University Teaching Hospitals in the Southern Zone(ASUU INTERVENTION)	291,666,666
	Implementation of Virtual Centers	

Lot	Implementation of Virtual Aid Examination Centres in selected Schools in the Southern Zone	270,000,000
Lot	Implementation of Virtual Aid Examination Centres in selected schools in the Northern Zone	270,000,000
-	Provision of ICT tools and Local Area Network and internet infrastructure for the virtual Aid Exam centers in the Northern Zone	270,000,000
-	Provision of ICT tools and Local Area Network and internet infrastructure for the virtual Aid Exam centers in the Northern Zone	270,000,000
7500	Digital access Empowerment Programme for Undergraduates (DAEP) Advanced Digital Appreciation Programme for Tertiary Institutions (ADAPTI-T)	1,191,125,000
Lot	Supply, configuration and integration of 1000 units e-pad with internet access and other educational contents in Ten (10) selected tertiary institutions in the 6 geopolitical zones	4,299,772,500
-	Telecom Book Donation to Tertiary Institutions	93,765,976
-	Deployment of College cloud e-Platform	418,000,000
-	Stakeholder meetings for provision of College Cloud E-Learning Platform	204,000,000
-	Stakeholders Consultation on ICT Penetration	241,000,000
	Construction of Mini ICT Squares for R&D in Tertiary Institutions and Installation of Equipment	2,163,780,000
	Supply and Installation of e-Pads with learning suites to selected Tertiary Institutions nationwide	1,572,714,000
TOTAL		17,917,824,921

2018CAPITAL EXPENDITURE**SPECIAL PROJECTS****EMERGENCY COMMUNICATION CENTRES****EMERGENCY COMMUNICATION CENTERS (ECC)****37 COMMUNICATION INFRASTRUCTURE**

6	Construction and Rehabilitation of all completed ECC sites	210,000,000
32	Outsourced Security (Unarmed Security)	160,000,000
32	Security Management (Armed)	259,800,000
20	Facility Management Services	252,000,000
Lot	Digital Mapping Solution: Mapping Application that display Location Information, transmitted by Network Operators.	130,000,000
20	Deployment/Management of Communications Equipment and Infrastructure to ECC Sites	584,000,000
12	Managed Services/Business Process Operations	850,227,500
17	Stipends for ECC Dispatchers	106,000,000
20	Maintenance of Building and Equipment	-
	Fuel, Diesel, Utilities and Telephone Expenses.	252,000,000
	Tenement Rates	50,000,000
	Project Supervision	82,200,000
	SensitisationProgramme and Launch of ECC Services at each Geopolitical Zone	100,000,000

TOTAL**3,036,227,500****SPECIAL PROJECTS (CONTD)****QUALITY OF SERVICE**

	Engagement, assessment and drive initiatives towards continual QOS improvement across the industry	60,558,200
	Hardware repairs and spares, software patches and updates	50,000,000
	1st, 2nd and 3rd level O&M support and capacity building	
	Hardware repairs and spares, software patches and updates	70,000,000
	1st, 2nd and 3rd level O&M support and report templates configuration and capacity building Fibre transmission leased capacity	

Upgrade of hardware and software components to support new functionalities	108,000,000
Carry out drive test in selected area across the country	200,200,000
Industry Working Group Meetings (IWG)	44,788,000
End to end support and maintenance for the NNP software project	51,500,000
Determine Tower overload	37,800,000
Verify Tower torque	37,800,000
Carry out Tower Modelling	37,800,000
Determine Tower Structural Integrity	37,800,000
Certification of Tower	6,720,000
Consultancy service for the Review of the Numbering Regulations 2008 to accommodate the newly developed NNP rules	25,000,000
Consultancy Service for Fibre Rollout Framework	36,000,000
Updated Type Approval Regulations	50,000,000
Equipment Certification Benchmarking and Factory technical Visit/Audit	60,000,000
Combat Mobile Crime in Nigeria/Deployment of Device Management Solution	150,000,000
Decommissioning of abandoned Masts/towers in the country	425,000,000
Multiple Taxation & Regulation (MTR) lobby	55,000,000
TOTAL SPECIAL PROJECTS	1,543,966,200
Central Data Centre Maintenance and Management: Maintenance & Management of the NSIM Card Registration Central Database	1,814,468,198
AFIS Software License Fees: AFIS and workflow/identity Software License fees for 60M records	-
TOTAL SUBSCRIBER DATABASE MANAGEMENT	1,814,468,198
STATE ACCELERATED BROADBAND INITIATIVE	
Subsidy for Broadband deployment Phase 1&2 (INFRACOS)	5,279,489,600
Fibre Deployment Study and Framework	-
Consultancy for Broadband Parliament and Monitoring	331,156,882
Broadband Stakeholders Engagement Forum	-
Consultancy for Broadband Parliament and Monitoring	-
TOTAL STATE ACCELERATED BROADBAND INITIATIVE	5,610,646,482
GSM & CDMA Networks QoS Driving and Online Monitoring	-
ICT Parks	3,229,950,290
TOTAL SPECIAL PROJECTS	13,691,292,470
SUMMARY OF 2018 CAPITAL EXPENDITURE	
Internal Projects	10,475,012,483
School Support Programme	17,917,824,921
Consultancies	2,031,306,096
Total Capital Expenditure	30,424,143,500
Special Projects	
Emergency Communications Centres (ECC)	3,036,227,500
Subscribers	
Database Management	1,814,468,198
State Accelerated Broadband Initiative	5,610,646,482
GSM & CDMA Networks QOS Driving and Online Monitoring	1,543,966,200
ICT Parks	3,229,950,290
Total Special Projects	15,235,258,670
Total Capital & Special Projects	45,659,402,170

Main Question,

That the expenditure of One Hundred and Sixty-One Billion, Seven Hundred and Seventy-Five Million, Eight Hundred and Fifty Thousand Naira (₦161,775,850) for the purposes set out under the Recurrent, Capital Expenditure and Special Projects Costs for the Nigerian Communications Commission (NCC) Budget 2018 — *Agreed to.*

12. Committee on Communications:***Report on the Universal Service Provision Fund (USPF) 2018 Budget:***

Motion made: That the Senate do consider the Report of the Committee on Communications on the 2018 Budget of the Universal Service Provision Fund (USPF) (*Senator Gilbert E. Nnaji — Enugu East*).

Question put and agreed to.

Report Presented.

Recommendations:**RECURRENT EXPENDITURE: ESTABLISHMENT COST**

EMPLOYEE COSTS	₦'000
Staff Costs	870,806.64
TOTAL	870,806.64
OPERATIONAL COSTS	
Printing & Stationery	9,844.22
Postage & Courier Services	961.21
Advertisements & Publicity	33,000.00
Forum, Conf & Seminars Local - Logistics	80,024.00
Forum, Conf & Seminars Foreign - Logistics	179,420.00
Training & Development - Foreign	251,845.84
Sponsorship	3,500.00
Protocol	13,930.00
Newspapers & Periodicals	1,074.84
Subscriptions	3,240.00
Vehicle Running Expenses	10,900.00
Vehicle Insurance	11,861.56
Professional fees	15,292.55
Fund Managers' Fee	22,448.40
Procurement Process Expenses	38,471.00
TOTAL OPERATIONAL COST	675,813.60
ADMINISTRATIVE COSTS	
Telephone Expenses	1,950.00
Maintenance of Equipment	2,262.00
Entertainment	5,040.00
General Office MTCE/Exps	4,030.00
Search/due Diligence Fee	2,400.00
TOTAL ADMIN COST	15,682.00
Total Board Expenses	229,104.00
Bank Charges	1,650.00
TOTAL RECURRENT EXPDIT.	1,793,056.25

**UNIVERSAL SERVICE PROVISION FUND
CAPITAL EXPENDITURE BUDGET 2018**

COMPUTERS		₦'000
2	Computers	500
-	Equipment for e-documentation	-
2	Printers	300
-	UPS	375
6	Laptops	2,250
LOT	Accessories	-
1	Computer Projector	458
SUB TOTAL		3,883

OFFICE EQUIPMENT

1	Automatic Thermal Binding Machine	800
1	Automatic Coil Binding Machine	-
1	Digital Conversion	-
LOT	Board Member's working Tools	4,240
SUB TOTAL		5,040

MOTOR VEHICLES

1	Secretariat Vehicles	25,000
SUB TOTAL		25,000

FURNITURE AND FITTINGS

1	Executive Chair	250.50
SUB TOTAL		250.50
TOTAL		34,173

**UNIVERSAL SERVICE PROVISION FUND
PROJECTS AND PROGRAMMES (2018)**

CONNECTIVITY PROGRAMMES		₦'000
	Base Transceiver Station (BTS): Conventional	1,540,745.60
	Base Transceiver Station (BTS): Non-Conventional/Rural	715,157.57
	Rural Broadband Initiative (RUBI)	784,355.41
	University Inter Campus Connectivity (UNICCOFC) Project	-
	University Inter Campus Connectivity (UNICC End User) Project	202,461.28
	Stakeholders Initiated Projects	-
	Bandwidth Provisioning/Aggregation	1,372,658.78
SUB TOTAL - CONNECTIVITY PROGRAMMES		4,615,378.64

ACCESS PROGRAMMES

	Schools Knowledge Centre (SKC)	3,117,188.84
	Tertiary Institutions knowledge Centres (TIKC)	401,236.15
	E-Health	329,050.51
	Schools Knowledge Centre (SKC) Sustainability	11,446.47
	E-Accessibility/ICT for Challenged Groups	552,547.27
	Deployment of Local Contents & Applications	144,687.61
	E-Library	551,015.96
SUB-TOTAL		5,107,172.80

INSTITUTIONAL STRENGTHENING AND CONSULTANCY

	Board and Management Retreat	31,300.00
	Preparation and Publishing of Annual Reports	10,700.00
	Development of five year strategic management plan 2018 - 2022	-
	Industry Consultations on New Strategic Management Plan	-

Website Management	6,240.00
GIS Development	10,650.00
Capacity Building of Community Based Organisations	46,050.00
Focused Industry Session	21,260.00
Consultative Forum/Geo-Political For a	
Project Monitoring, Evaluation & Commissioning	53,795.00
Innovative ICT Solution and Entrepreneurship Development	78,825.00
USPF Database Management	4,100.00
Capacity Building On USF Subsidy Optimization	15,000.00
Universal Service/Universal Access Study Visit for USPF Board	96,304.64
ICT Penetration Analysis and Needs Assessment	150,000.00
Consultancy for update of USPF Access Gap in Six Geopolitical Zones	160,000.00
SUB-TOTAL	684,224.64
TOTAL - PROJECT & PROGRAMME COST	10,406,776.08

SUMMARY OF USPF 2018 BUDGET

A. Revenue Profile	₦'000
Income from AOL Contribution	9,030,000.00
Reserves	1,592,004.83
Tender Fees	12,000.00
Funds Held by Aso Savings & Loans	1,600,000.00
Total Revenue	12,234,004.83
B. Expenditures	
Recurrent Expenditure	
Employee Costs	870,806.64
Operational Costs	675,813.60
Administrative Costs	15,682.00
Board Expenses	229,104.00
Bank Charges	1,650.00
Total Recurrent Expenditure	1,793,056.25
C. Capital Expenditure	
Computers	3,882.00
Office Equipment	5,040.00
Motor Vehicles	25,000.00
Furniture and Fittings	250.50
Total Capital Expenditure	34,172.50
D. Projects Expenditure	
Connectivity Programs	4,615,378.64
Access Programmes	5,107,172.80
Institutional Strenghtenng & Consultancy	684,224.64
Total Projects Expenditure	10,406,776.08
Total Budgeted Expenditure	12,234,004.83

The Total Budgeted Expenditure for the Year 2018 is Twelve Billion, Two Hundred and Thirty Four Million, Four Thousand, Eight Hundred and Thirty Naira (₦12,234,004,830) only.

Main Question:

That the expenditure of Twelve Billion, Two Hundred and Thirty Four Million, Four Thousand, Eight Hundred and Thirty Naira only (₦12,234,004,830) for the purposes set out under the Budgeted Expenditure Costs for the Universal Service Provision Fund (USPF) stand part of the Recurrent and Capital Expenditure for 2018 — *Agreed to.*

13. Committee on Establishment and Public Service:

Report on the Institute of Mediators and Conciliators Bill, 2019 (SB. 512):

Motion made: That the Senate do consider the Report of the Committee on Establishment and Public Service on the Institute of Mediators and Conciliators Bill, 2019 (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Question put and agreed to.

Report 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 ESTABLISH THE INSTITUTE OF CHARTERED MEDIATORS AND CONCILIATORS OF NIGERIA TO DETERMINE WHAT STANDARDS OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS OF THE MEDIATION AND CONCILIATION PROFESSION; AND FOR RELATED MATTERS, 2019.

PART I - ESTABLISHMENT OF INSTITUTE OF CHARTERED MEDIATORS AND CONCILIATORS

Clause 1: Establishment of the Institute of Chartered Mediators and Conciliators.

- (1) There is established the Institute of Chartered Mediators and Conciliators of Nigeria (in this Bill referred to as "the Institute") which-
 - (a) shall be a body corporate with-
 - (i) perpetual succession; and
 - (ii) a common seal which shall be kept in such custody as the Council may direct,
 - (b) may sue and be sued in its corporate name; and
 - (c) may, subject to the Land Use Act, hold, acquire and dispose of any property moveable or immovable.
- (2) The Institute is charged with the general duty of-
 - (a) determining what standards of knowledge and skill are to be attained by persons seeking to become registered members of the mediation and conciliation profession and reviewing those standards from time to time, as circumstances may permit;
 - (b) promoting the highest standards of competence, practice and conduct among members of the profession;
 - (c) securing, in accordance with the provisions of this Bill the establishment and maintenance of a register of fellows, members, associates, students, and honorary members of the profession and the publication, from time to time, if lists of those person; and
 - (d) performing, through the Council established under section 5 of this Bill, the functions conferred on it by this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 2: Membership of the Institute

- (1) Subject to the provisions of this Bill, persons admitted as members of the Institute shall be enrolled as mediators and conciliators in the category of-
 - (a) Fellows;
 - (b) Members;
 - (c) Associate members;
 - (d) Honorary members; or
 - (e) Student members.
- (2) Persons enrolled by the Council under this Bill as Mediators and Conciliators shall be called Mediators and Conciliators (M.C), and shall be enrolled as -
 - (a) Fellows, if they satisfy the Council that for the period of 10 years immediately preceding the date of application in that behalf, they have been fit persons and have, in addition to being the holders of approved academic qualifications, been in continuous active practice on their own account as Mediators and Conciliators or in partnership with other Mediators and Conciliators;
 - (b) Members, if for the period of not less than five years Immediately preceding the date of application in that behalf (the period of membership of the Institution, in the discretion of the Council, counting in that behalf) they have been enrolled as associates, or qualified to be so enrolled and are otherwise fit persons; and
 - (c) Associates, if they satisfy the Council that they have passed examinations prescribed or accepted by the Institute and are otherwise fit persons to be enrolled in the Register.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 3: Use of Abbreviations in Respect of Membership.

- (1) Persons accorded by the Council under this Bill, the status of Mediators and Conciliators in the categories of-
 - (a) Fellows, are entitled to use the abbreviation FIMCN (Fellow Institute of Chartered Mediators and Conciliators of Nigeria);
 - (b) Members, are entitled to use the abbreviation MIMCN (Member Institute of Chartered Mediators and Conciliators of Nigeria); and
 - (c) Associate members, are entitled to use the abbreviation AMIMCN (Associate Member, Institute of Mediators and Conciliators of Nigeria).

- (2) Where a person is enrolled or registered, as the case may be, in the Institute, he is entitled to use such letters after his name as may be authorised by the Council as the status of a Fellow, a Member and an Associate member, including the use of the abbreviations M.C. (Mediator and Conciliator) and shall, when enrolled or registered, as the case may be, receive a certificate in such form as the Council may approve for the purpose.
- (3) Subject to the provisions of this Bill, a person shall not practise or carry on business under any name, style or title containing the words "Chartered Mediator and Conciliator" or any combination of them, unless he is registered under this Bill.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 4: Officials of the Institute.

- (1) There shall be a President and first and second Vice- Presidents of the Institute who -
 - (a) shall be nominated by the Council from among members of the Council and elected by members of the Institute;
 - (b) shall each hold office for a term of two years from the date of election; and
 - (c) may thereafter be re-elected for a further term of two years and no more.
- (2) The President shall be the presiding officer at meetings of the Institute, but in the event of his death, incapacity or inability for any reason, the first Vice-President, and in his absence, the second Vice President, shall preside at the meeting or act as President for the un-expired term of office.
- (3) The President and the Vice President shall respectively be Chairman and Vice Chairman of the Council of the Institute under this Bill.
- (4) If the President or any of the Vice-Presidents cease to be a member of the Institute, he shall cease to hold any of the offices designated under this section.
- (5) There shall be appointed for the Institute persons in the position of patrons.
- (6) The patrons shall be men and women of repute and integrity.
- (7) Their function shall be limited to providing advice to the Council on the management of the Institute.
- (8) The number of patrons shall not be less than four and not more than 10.
- (9) The patrons shall serve for a term of four years and may thereafter be re-nominated, except for the incumbent Chief Justice of the Federal Republic of Nigeria who shall be a permanent patron of the Institute by virtue of his office.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 5: The Council of the Institute.

- (1) There is established the Governing Council of the Institute (in the Bill referred to as "the Council") charged with the administration and general management of the Institute.
- (2) The Council shall consist of-
 - (a) a chairman who shall be the President of the Institute;
 - (b) first Vice Chairman and second Vice Chairman who shall be the First and Second Vice-Presidents of the Institute;
 - (c) 15 other persons elected by the Institute who shall be members in practice as Mediators and Conciliators;
 - (d) all past Presidents of the Institute;
 - (e) a representative each of the -
 - (i) Federal Ministry of Justice,
 - (ii) Nigeria Bar Association,
 - (iii) Federal Ministry of Education;
 - (f) two persons to represent institutions of higher learning in Nigeria offering courses leading to an approved qualification in mediation and conciliation to be appointed by the Minister of Education, in rotation, and the two shall not come from the same institution; and
 - (g) the Registrar of the Institute who shall serve as the secretary to the Council.

First Schedule

- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other matters mentioned in the Schedule.
- (4) The Council may assign functions and portfolios to some of its members for the purpose of ensuring the effective management of the Institute.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

PART II — FINANCIAL PROVISIONS**Clause 6: Funds of the Institute.**

- (1) The Council shall establish and maintain a fund (in the Bill referred to as "the Fund") for the Institute, to be managed and controlled by the Council.

- (2) There shall be paid into the Fund of the Council-
 - (a) all fees and other money payable to the Council in pursuance of this Bill; and
 - (b) such money as may be payable to the Council, whether in the course of the discharge of its functions or not.
- (3) There shall be paid out of the Fund of the Council -
 - (a) the remuneration and allowances of the Registrar and other employees of the Council;
 - (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve;
 - (c) any other expenses approved and incurred by the Council in the discharge of its functions under this Bill.
- (4) The Council may invest money in the Fund in any security created or issued by or on behalf of the Government of the Federation or in any other securities in Nigeria approved by the Council.
- (5) The Council shall keep proper accounts on behalf of the Institute in respect of each financial year and proper records in relation to those accounts and the Council shall cause the accounts to be audited by an Auditor, approved by the Institute and when audited, the accounts shall be submitted to the members of the Institute for approval at a meeting of the Institute.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

PART III — THE REGISTRAR AND THE REGISTER

Clause 7: Appointment of Registrar, etc and Preparation of Register.

- (1) The Council shall, appoint a fit and proper person to be the Registrar of the Institute, and such other persons as the Council may, from time to time, think necessary to assist the Registrar in the performance of his functions under this Bill.
- (2) The Registrar -
 - (a) shall hold office for a term of four years, and upon satisfactory performance;
 - (b) may be eligible for re-appointment for further term of four years, and no more.
- (3) The Register shall consist of five parts-
 - (a) the first part shall be in respect of Fellows;
 - (b) the second part shall be in respect of Members;
 - (c) the third part shall be in respect of Associate Member;
 - (d) the fourth part shall be in respect of Honorary Members; and

- (e) the fifth part shall be in respect of Student Members.
- (4) Subject to the foregoing provision of this section, the Council shall make rules with respect to the form and keeping of the Register and the making of entries in the Register, and in particular-
- (a) regulating the making of applications for enrolment or registration, as the case may be, and providing for the evidence to be produced in support of such application;
 - (b) providing for the notification to the Registrar, by the person to whom any registered particulars relates, of any change in those particulars;
 - (c) authorizing an enrolled or registered person to have any qualification which is in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualification so registered;
 - (d) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the Register, and authorising the Registrar to refuse to enter a name on the Register until any fee specified for the entry has been paid; and
 - (e) specifying anything not specified under this section;
- (5) For the purposes of subsection (4) (d), the rules shall not come into force until they are confirmed at a meeting of the Institute.

The Registrar shall-

- (a) correct in accordance with the Council's directions, any entry in the Register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;
- (b) make, from time to time, any necessary alteration to the registered particulars of registered persons;
- (c) remove from the Register, the name of any enrolled or registered persons who had died; and
- (d) record the names of members of the Institute who are in default for more than six months in payment of annual subscriptions, and to take such action in relation thereto (including removal of the names of defaulters from the Register) as the Council may direct or require;
- (e) cause the Register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Bill;
- (f) thereafter in each year cause to be printed, published and put on sale as aforesaid, either a corrected edition of the Register or a list of corrections made to the Register since it was last printed;
- (g) cause a print of each edition of the Register and each list or corrections to be deposited at the principal office of the Institute;
- (h) keep the Register and lists so deposited to be made available to members of the public at all reasonable times for inspection.

- (6) A document purporting to be a print of an edition of a register published under this section by authority of the Registrar, or documents purporting to be prints of an edition of a register so published and of the list of corrections to that edition so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered or enrolled was so registered or enrolled at date of the edition or of the list of corrections, as the case may be and that any person not so specified was not so registered or enrolled.
- (7) Where in accordance with subsection (6) of this section, a person is, in any proceeding shown to have been or not to have been registered or enrolled at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be so registered or enrolled.
- (8) If the Registrar-
- (a) sends by post to any registered person or enrolled person a registered letter addressed to him at his address on the Register enquiring whether the registered or enrolled particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting it; and
- (b) upon the expiration of that period, sends in the like manner to the person in question a second similar letter and receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person in question from the Register, and the Council may direct the Registrar to restore to the appropriate part of the Register any particulars removed there from under this subsection.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

PART IV — REGISTRATION

Clause 8: Registration of Mediators and Conciliators.

- (1) Subject to section 13 of this Bill, and to rules made under section 7 (4) of this Bill, a person is entitled to be registered as a mediator and conciliator if-
- (a) he passes the qualifying examination for membership conducted by the Council under this Bill and complete the practical training prescribed;
- (b) holds a qualification granted outside Nigeria and for the time being accepted by the Institute and is by law entitled to practice for all purpose as a Mediator and Conciliator in the country in which the qualification was granted and, if the Council so requires, he satisfied the Council that he has had sufficient experience as a Mediator and Conciliator;
- (c) before the commencement of this Bill, he holds a Bachelors Degree or a Higher National Diploma in Mediation from a recognized higher institution;

- (d) he holds an approved Degree in Peace studies or its equivalent from a recognised higher institution and has passed the professional examinations conducted by the Council;
 - (e) he has attended a minimum of forty hours training in mediation by institutions recognized by the Council and demonstrates evidence of having practical experience; and
 - (f) he is a serving or retired judge in Nigeria.
- (2) An applicant for registration shall in addition to evidence of qualification, satisfy the Council that-
- (a) he is of good character;
 - (b) he has attained the age of 21 years; and
 - (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.
- (3) The Council may, provisionally, accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the Register, under subsection (4) of this section, shall show that the registration is provisional and no entry so made, shall be converted to full registration without the consent of the Council, signified in writing in that behalf.
- (5) The Council shall publish in the Federal Government Gazette particulars of qualifications for the time being accepted for registration under this Bill.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 9: Approval of Training Institutions.

- (1) The Council may approve any institution for the purposes of this Bill and may for those purposes approve -
- (a) any course of training at any approved institution which is intended for persons seeking to become or are already Mediators and Conciliators and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for admission to the Institute; and
 - (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates reaching a standard at the examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill to practice as mediators and conciliators.
- (2) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing such an approval the Council shall-

- (a) give notice that it proposes to do so to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
 - (b) afford each such person an opportunity of making to the Council representations with regard to the proposals; and
 - (c) take into consideration any representation made in respect of the proposal in pursuance of paragraph (b) of this subsection.
- (3) A course, qualification or institution shall not be treated as approved during any period, which the approval of the Council is withdrawn under subsection (2).
- (4) Notwithstanding the provisions of subsection (3), the withdrawal of an approval under subsection (2), shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or was eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section, shall have effect from such date, either before or after the execution of the instruments signifying the giving or withdrawal of the approval, as the Council may specify in the instrument and the Council shall-
 - (a) publish a copy of every such instrument in the Federal Government Gazette; and
 - (b) not, later than seven days before its publication, send a copy of the instrument to the Minister of Education.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 10: *Compilation of Approved Establishments for Training Leading to Approved Qualifications.*

- (1) The Council shall compile the list of establishments or institutions, which maintain adequate facilities for the training of Mediators and Conciliators.
- (2) The Council shall keep itself informed of the nature of-
 - (a) the instruction given at approved institutions to persons attending approved courses of training; and
 - (b) the examination as a result of which approved qualifications are granted, and for the purpose of performing that duty, the Council may appoint, either from among its members or otherwise, persons to visit approved institutions or to observe such examinations.
- (3) A person appointed under this section shall report to the Council on-
 - (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
 - (b) the adequacy of the examinations attended by him; and

- (c) any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report, but no such person shall interfere with the giving of any instruction or the holding of any examination.
- (4) On receiving a report made in pursuance of this section, the Council may, if it thinks fit, and shall, if so required by the institution send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examination to which the report relates, requesting that person to make an observation on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 11: Annual Registration of Organizations etc.

- (1) The Council shall register annually all organizations or firms providing mediation and conciliation services or consultancy services thereto.
- (2) No person, organisation or firm shall practice as Mediators or Conciliators in Nigeria unless he is registered by the Council.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

PART V — PROFESSIONAL DISCIPLINE

Clause 12: Establishment of Investigating Panel and Disciplinary Tribunal.

- (1) There is established the Institute of Chartered Mediators and Conciliators of Nigeria Investigating Panel (in this Bill referred to as "the Panel") charged with the duties of-
- (2) The Tribunal shall consist of the Chairman of the Council and six other members of the Council appointed by the Council, except that the members of the Investigating panel on any particular case shall not be members of the Tribunal for the purposes of considering the report of the Investigating Panel.
- (3) There is established the Institute of Chartered Mediators and Conciliators of Nigeria Disciplinary Tribunal (in this Bill referred to as "the Tribunal") which shall be charged with the duty of considering and determining any case referred to it by the Investigative Panel, and any other case of which the Tribunal has cognisance under this Bill.
 - (a) conducting a preliminary investigation into any case where it is alleged that a person registered has misbehaved in his capacity as a Mediator and Conciliator or should for any other reason be the subject of proceedings before the Tribunal; and
 - (b) deciding whether the case should be referred to the Tribunal.

- (4) The Panel shall be an ad hoc panel appointed as occasion demands by the Council, and shall consist of three members of the Council and two other members of the Institute.
- (5) The provisions of the Second Schedule to this Bill shall, so far as applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.
- (6) The Council may make rules not inconsistent with this Bill as to acts, which constitute professional misconduct.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 13: Penalties for Unprofessional Conducts, etc.

- (1) Where-
 - (a) a member is judged by the Tribunal to be guilty of infamous conduct in any professional respect; or
 - (b) a member is convicted, by any court or Tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not punishable with imprisonment), which in the opinion of the Tribunal is incompatible with the status of a Mediator and Conciliator;
 - (c) the Tribunal is satisfied that the name of any person has been fraudulently enrolled or registered, the Tribunal may, if it thinks fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the Register.
- (2) The Tribunal may, if it thinks fit, defer its decision as to the giving of a direction under subsection (1) until a subsequent meeting of the Tribunal, but-
 - (a) no decision shall be deferred under this subsection for period exceeding two years in the aggregate; and
 - (b) no person shall be a member of the Tribunal for the purposes of reaching a decision, which has been deferred, unless he was present as a member of the Tribunal when the decision was deferred.
- (3) For the purpose of subsection (1), a person shall not be treated as convicted, unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (4) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be serve on the person to whom it relates.
- (5) A person to whom a direction relates may, at any time within 28 days from the date of service on him of the notice of the direction, appeal against the direction to the Court of Appeal and the Tribunal may appear as respondent to the appeal and, for the proceedings before the Court of Appeal, the Tribunal shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

- (6) A direction of the Tribunal under subsection (1), shall take effect only where
- (a) no appeal is brought against the direction within the time limit for such an appeal, on the expiration of that time;
 - (b) such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal; and
 - (c) such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

PART VI — MISCELLANEOUS

Clause 14: Application of the Bill to Un-enrolled Person.

Any person who is not a member of the Institute of Chartered Mediators and Conciliators incorporated under the Companies and Allied Matters Act (in this Bill referred to as "the Incorporated Institute") who but for this Bill, would have been qualified to apply for and obtain membership of the incorporated Institute may, within the period of three months beginning from the commencement of this Bill, apply for membership of the Institute in such manner as may be prescribed by rules made by the Council; and if approved, shall be enrolled and registered, as the case may be, according to his qualifications.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 15: Persons Deemed to Practice as Mediators and Conciliators.

- (1) Subject to subsection (2) of this section, a person shall be deemed to practice as a Mediator and Conciliator, if, in consideration of remuneration received or to be received, and whether individually or in partnership with any other person-
- (a) engages in the practice of mediation and conciliation or holds himself out to the public as a Mediator and Conciliator;
 - (b) renders professional service or assistance in or about matters of principle or detail relating to mediation and conciliation; or
 - (c) renders any other service which may by regulations made by the Council, be designated as service constituting mediation and conciliation practice.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 16: Rules as to Practices, Fees:

- (1) The Council may make rules-
 - (a) for the training of suitable persons in mediation and conciliation methods and practice; and
 - (b) for the supervision and regulation of the engagement, training and transfer of such persons.
- (2) The Council may also make rules-
 - (a) prescribing the amount and due date for payment of the annual subscription and for such purpose different amounts may be prescribed by the rules according to whether the person is enrolled as a fellow, member, associate member or a student;
 - (b) prescribing the form of licence to practice to be issued annually or, if the Council thinks fit, by endorsement on an existing licence; and
 - (c) restricting the right to practice in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules; and
 - (d) for mandatory professional education to be held annually or for such period as the Council may prescribe, as a condition for the renewal of licence to practice.
- (3) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the Federal Government Gazette.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 17: Provision of Library.

The Institute shall-

- (a) provide and maintain a library comprising books and publications for the advancement of knowledge of mediation and conciliation and such other books and publications as the Council may think necessary for the purpose; and
- (b) encourage research into mediation and conciliation methods and allied subjects to the extent that the Council may think necessary for the purpose.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — Agreed to.

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

Clause 18: Offences and Penalties.

- (1) Any person, not being a Mediator and Conciliator, registered with the Council, who-
 - (a) Retained

- (b) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorised by law to practice as a registered Mediator and Conciliator, commits an offence.
- (2) A person who, for the purpose of procuring the registration of any name, qualification or other matter-
 - (a) makes a statement, which he knows or ought to know to be false in a material particular; or
 - (b) recklessly makes a statement which is false, commits an offence,
- (3) In the case of a person falling within section 14 of this Bill -
 - (a) this subsection shall not apply in respect of anything done by him during the period of three months mentioned in that section; and
 - (b) if within that period he duly applies for membership of the Institute then, unless within that period he is notified that his application has not been approved, this subsection shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified as aforesaid.
- (4) The Registrar or any other person employed by or on behalf of the Institute, who wilfully makes any false entry in any matter relating to the Register, commits an offence.
- (5) A person guilty of an offence under this section shall be liable-
 - (a) on summary conviction to a fine of an amount not exceeding ₦50,000; or
 - (b) on conviction or indictment, to a fine of an amount not exceeding N150,000.00 or to imprisonment for a term not exceeding two years or both.
- (6) Where an offence, has been committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, the officer and the body corporate, shall be liable to be proceeded against and punished accordingly.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 19: Proof of Validity of Certificate.

- (1) A certificate required by any written law from any class of persons for whom a Register is maintained under this Bill shall not be valid, unless the person signing it is registered in accordance with this Bill.
- (2) Subject to the provisions of this Bill, any person, not registered in accordance with this Bill, shall not be entitled to hold any appointment, or be granted a licence by any establishment in the Public Service of the Federation or of a state or in any public or private establishment, body or institution, if the holding of such appointment or the grant of such licence involves the

performance by him in Nigeria of any net pertaining to the profession of mediation and conciliation for gain.

- (3) Notwithstanding the provisions of any other law or enactment, no remuneration shall be recoverable by legal proceedings in respect of any act done or omitted to be done by a person not registered under this Bill, in pursuance of any contract while purporting to act as a registered Mediator and Conciliator or by any person who is prohibited from performing such act or gain.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 20: Regulations.

- (1) Any power to make regulations, rules or orders by this Bill shall include power to make-
 - (a) provisions for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument; and
 - (b) different provisions for different circumstances.
- (2) Any regulation made under this Bill, shall be published in the Federal Government Gazette as soon as they are made and a copy of any such regulation shall be sent to the Minister of Education not later than seven days before they are so published.
- (3) Rules made for the purposes of this Bill, shall be subject to continuation by the Institute at its next general meeting or at any special meeting of the Institute convened for that purpose, and if annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance of any such rules.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 21: Savings and Transitional Provisions.

- (1) On the commencement of this Bill-
 - (a) all property held immediately before that day by or on behalf of the Incorporated Institute shall by virtue of this subsection and without further assurance, vest in the Institute and be held by it for the purposes of the Institute;
 - (b) the Incorporated Institute shall cease to exist; and
 - (c) subject to subsection (2), any act or thing made or done by the Incorporated Institute shall cease to have effect.

Third Schedule

- (2) The provisions of the Third Schedule to this Bill shall have effect with respect to matters arising from the transfer by this section to the Institute of the property of the Incorporated Institute and with respect to the other matters mentioned therein.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) — *Agreed to.*

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

Clause 22: Interpretation.
In this Bill-

"AIMCN" means Associate Institute of Chartered Mediators and Conciliators of Nigeria;

"Council" means the Governing Council of the Institute established under section 5 (1) of this Bill;

"Disciplinary Tribunal" means the Institute of Chartered Mediators and Conciliators of Nigeria Disciplinary Tribunal established under section 12 (3) of this Bill;

"Enrolled" in relation to a Fellow, a Member or an Associate Member means registered in the part of the Register relating to Fellows, Members or Associate Members as the case may be;

"Fees" include annual subscriptions;

"FIMCN" means Fellow Institute of Chartered Mediators and Conciliators of Nigeria;

"Incorporated Institute" means the Institute of Chartered Mediators and Conciliators of Nigeria incorporated under the Companies and Allied Matters Act, 2004;

"Institute" means the Institute of Chartered Mediators and Conciliators of Nigeria established by section 1 of this Bill;

"Investigating Panel" means the Institute of Chartered Mediators and Conciliators of Nigeria Investigation Panel established under section 12 (1) of this Bill;

"M.C. means Mediator and Conciliator;

"Mediation practitioner" means a Mediator enrolled as a Fellow, Member or Associate Member of the Institute;

"Mediator and Conciliator" means any person who is registered under this Bill in any of the categories of membership;

"MIMCN" means Member Institute of Chartered Mediators and Conciliators of Nigeria;

"Member of the Institute" means a registered member of the Institute;

"Minister" means the Minister of the Government of the Federation charged with the responsibility for Education;

"President" and "Vice President" means respectively the office holders under those names in the Institute;

"Profession" means the profession of mediation and conciliation;

"Register" means the register maintained in pursuance of section 8 of this Bill.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) —
Agreed to.

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

Clause 23: Citation.

This Bill may be cited as the Institute of Chartered Mediators and Conciliators of Nigeria Bill, 2019.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Emmanuel I. Paulker — Bayelsa Central*) —
Agreed to.

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

SCHEDULES

Section 5 (3)

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualifications and Tenure of office of Members of the Council

1. (1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of two years beginning with the date of his appointment or election.
- (2) Any member of the Institute who ceases to be a member shall, if he is also a member of the Council cease to hold office in the Council.
- (3) Any elected member of the Council may, by notice in writing under his hand addressed to the President, resign his office and any appointed member may with the consent of the Minister in the same manner resign his office.
- (4) A person who retires from or otherwise ceases to be an elected member of the council shall be eligible again to become a member of the Council and any appointed member may be re-appointed.
- (5) Elections to the Council shall be held in such manner as may be prescribed by rules made by the Council and until so prescribed they shall be decided by a show of hand.
- (6) If for any reason, there is a vacation of office by a member and-
 - (a) such member was appointed by the Minister or any other body, the Minister or that body may appoint another fit person from the area in respect of which the vacancy occurs; or
 - (b) such member was elected, the Council may, if the time between the un-expired portion of the term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit person for such time as aforesaid.

Proceedings of the Council

2. (1) Subject to the provisions of this Bill, the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute or of the Council and in the exercise of its power under this Bill, may set up committees in the general interest of the Institute and make standing orders thereof.
- (2) Standing orders shall provide for decisions to be taken by a majority of the members and, in the event of an equality of votes, the President or the Chairman, shall have a second or casting vote.
- (3) The quorum of the Council shall be seven and the quorum of a committee of the Council shall be determined by the Council.

Meetings of the Institute

3. (1) The Council shall convene the meeting of the Institute on or about 30th April in every year or on such other day as the Council may, from time to time, appoint, so however, that if the meeting is not held within one year after the previous meeting, not more than 15 months shall elapse between the respective dates of the two meetings.
- (2) A special meeting of the Institute may be convened by the Council at any time and if not less than twenty members of the Institute (or such number of members as the Council might subsequently determine and approved by the Institute) so require, by notice in writing addressed to the secretary of the Council setting out the objects of the proposed meeting, the Chairman of the Council shall convene a special meeting of the Institute.
- (3) The quorum for any general meeting of the Institute shall be fifteen members and that of any special meeting of the Institute shall be fifteen members.
- (4) Without prejudice to the foregoing, the Council may in its discretion, based on the increase in the membership of the Institute, revise the quorum for general and special meetings of the Institute.

Meetings of the Council

4. Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so, by notice in writing given to him by not less than ten other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice is given.

Committees

5. (1) The Council may set up or more committees to carry out on behalf of the Institute or of the Council such functions as the Council may determine.
 - (2) A committee set up under this paragraph shall consist of the number of persons determined by the Council of whom not more than three-fifths may be persons who are not members of the Council and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he was appointed.
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- (3) 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 Institute or the Council as the case may require any person generally or specially authorised to act for that purpose by the Council.
- (4) The validity of any proceeding of the Institute or of the Council or of a committee of the Council is not adversely affected by -
 - (a) any vacancy in the membership;
 - (b) by any defect in the appointment of a member of the Institute;
 - (c) Council or a person to serve on the committee; or
 - (d) reason that a person not entitled to do so took part in the proceedings.

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

SECOND SCHEDULE

Section 12(5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATIVE PANEL

The Disciplinary Tribunal

1. The quorum of the Disciplinary Tribunal shall be four of whom at least two shall be members of Council.
2.
 - (1) The Attorney-General of the Federation may make rules with regard to the procedure to be followed by the Disciplinary Tribunal and the Investigation Panel and on the rules of evidence in such proceedings.
 - (2) Until the rules are made, the Disciplinary Tribunal and the Investigation Panel shall conduct their proceedings in such manner as to provide-
 - (a) that notice of the proceedings shall be given in good time and shall clearly specify the complaint, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Tribunal;
 - (d) for securing that any party to the proceedings may be represented by a legal practitioner;
 - (e) subject to the provisions of section 12 (5) of this Bill, as to the costs of proceedings before the Disciplinary Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) for publishing in the Federal Government Gazette notice of any direction of the Disciplinary Tribunal, which has taken effect providing that a person's name shall be struck off a register.

3. For the purposes of any proceedings before the Disciplinary Tribunal, any member of the Disciplinary Tribunal may administer oath and any party to the proceedings may issue out of the Registry of the High Court writs of subpoena ad testificandum and duces tecum but no person appearing before the Disciplinary Tribunal shall be compelled—
 - (a) to make any incriminating statement before the Disciplinary Tribunal; or
 - (b) to produce any document under such a writ which could not be compelled to be produced at the trial of an action.
4.
 - (1) For the purpose of advising the Disciplinary Tribunal on questions of law arising in proceedings before it, there may in all such proceedings be an assessor to the Disciplinary Tribunal (who may be the legal adviser to the Institute or may be appointed by the Council) and who shall be a legal practitioner of not less than ten years standing.
 - (2) The Attorney-General of the Federation may make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing—
 - (a) that where an assessor advises the Disciplinary Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear thereat or, if the advice is tendered while the Disciplinary Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered;
 - (b) that every such party or person as aforesaid shall be informed if in any case where the Disciplinary Tribunal does not accept the advice of the assessor on such a question as aforesaid;
 - (3) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings and shall hold and vacate office in accordance with the terms of the letter by which he is appointed.

The Investigating Panel

5. The quorum of the Investment Panel shall be three.
6. The Panel may, at any of its meeting attended by all the members of the Panel, make standing orders with respect to its proceedings.
7. A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and the Panel but no person who acted as a member of the Investigating Panel with respect to any case shall act as a member of the Disciplinary Tribunal with respect to that case.

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

THIRD SCHEDULE

Section 21 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY

Transfer of Property

1. Without prejudice to the generality of section 21 of this Bill, all assets and liabilities of the Incorporated Institute shall become assets and liabilities of the Institute.

2. (1) All agreements, contracts, deeds or other instruments to which the Incorporated Institute was a party shall, so far as possible and subject to any necessary modifications, have effect as if the Institute has been a party thereto in place of the Incorporated Institute.
- (2) Documents not falling within subparagraph (1) of this paragraph, which refer either specially or generally to the Incorporated Institute shall be construed in accordance with the said subparagraph as far as possible.
- (3) Any legal proceedings or application to any authority pending on the day this Act comes into force by or against the Incorporated Institute and relating to property transferred to the Institute by this Act may be continued on or after that day by or against the Institute.

Registration of Transfer

3. If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfer of property of the kind in question (whether by reference to any instrument of transfer or otherwise) the law shall, so far it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property aforesaid and it shall be the duty of the Institute to furnish the necessary particulars of the transfer to the proper office of the registration authority and of that officer to register the transfer accordingly.

Transfer of function, etc.

4. (1) As soon as possible after the commencement of this Bill, the President shall summon a general meeting of the Institute to elect the Institute's representatives on the Council of the Institute.
- (2) At its first meeting, the Council shall fix a date (not later than six months matter the day this Bill comes into force) for the annual meeting of the Institute.
- (3) The persons who were members of the Executive Committee of the Incorporated Institute immediately before the commencement of this Act shall be deemed to be members of the Council of the Institute and their term of office shall continue as if they were elected to the Council under this Bill.
- (4) Any person who immediately before the commencement of this Bill held office as the President or Vice President of the Council of the Incorporated Institute by virtue of the Constitution of the Incorporated Institute, shall on the day this Bill comes into force, become the President or Vice-President, as the case may be, of the Institute and shall be deemed-
 - (a) to have been appointed to that office in pursuance of the provisions of this Bill corresponding to the relevant provisions in the said Constitution; and
 - (b) to have been so appointed on the date on which he took office or last took office, in pursuance of the relevant provision of the Constitution.
- (5) The persons who were members of the Incorporated Institute shall, as from the commencement of this Bill, be enrolled or registered, as the case may be, as members of the Institute and without prejudice to the generality of the provisions of this Schedule relating to the transfer of property, any person who immediately before the commencement of this Bill, was a member of the staff of the Incorporated Institute

shall on that day become the holder of an appointment with the Institute with the status, designation and function which correspond as nearly as may be possible to those which appertained to him in his capacity as a member of the staff.

- (6) Any person being an office holder, or member of the Council of the Incorporated Institute immediately before the commencement of this Bill and deemed under this paragraph to have been appointed to any like position in the Institute, or on the Council of the Institute, and thereafter ceases to hold office otherwise than by reason of his misconduct, shall be eligible for appointment to office in the Institute or to membership of the Council, as the case may be.
- (7) All regulations, rules and similar instructions made for the purposes of the Incorporated Institute and in force immediately before the commencement of the Bill shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf: have effect with any necessary modifications as if duly made for the corresponding purposes of the Institute.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service on the Institute of Mediators and Conciliators Bill, 2019 and approved as follows:

Clauses 1 - 23 — As Recommended

Schedules 1 - 3 — As Recommended

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

Motion made: That the Bill be now Read the Third Time (*Senate Leader*).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

14. Committee on Ethics, Privileges and Public Petitions:

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

1. Alhaji Kabiru Suleiman, against the National Assembly Service Commission (NASC) for alleged forced retirement from the National Assembly Service (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution:

Question: That the petitioner, Alhaji Kabiru Suleiman be retired honourably, and his benefits fully paid — *Agreed to.*

Resolved:

That the petitioner, Alhaji Kabiru Suleiman be retired honourably, and his benefits fully paid (S/Res/065/04/19).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

2. Tanzila Petroleum Company Limited, against Petroleum Products Pricing Regulatory Agency (PPPRA) for non-payment of Subsidy on Premium Motor Spirit (PMS) imported (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution(i):

Question: That Tanzila Petroleum Company Limited be paid the sum of ₦10,822,859,663.30 as subsidy for the 15,415.167 Metric Tons of Premium Motor Spirit it imported in 2008 — *Agreed to.*

Proposed Resolution(ii):

Question: That the Senate Committee on Petroleum Downstream be mandated to actualise compliance — *Agreed to.*

Resolved.

- (i) That Tanzila Petroleum Company Limited be paid the sum of ₦10,822,859,663.30 as subsidy for the 15,415.167 Metric Tons of Premium Motor Spirit it imported in 2008.
- (ii) That the Senate Committee on Petroleum Downstream be mandated to actualise compliance (S/Res/059/04/19).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

3. John O. Agu of J.M. Jai & Co., against Chevron Nigeria Limited (CNL) and Shell Nigeria Exploration and Production Company Limited (SNEPCO) for preventing Matreach Logistics Limited from providing Stevedoring Services at Bonga On/Offshore Terminal and Chevron Jetty, Warri (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge Chevron Nigeria Limited (CNL) and Shell Nigeria Exploration and Production Company (SNEPCO) Ltd to comply with the directive of the Nigerian Ports Authority (NPA) to redeem all payments arising from the loss of earnings by Matreach Logistics for the years it was not allowed to carry out its legitimate duties — *Agreed to.*

Proposed Resolution (ii):

Question: That Chevron Nigeria Limited and Shell Nigeria Exploration and Production Company (SNEPCO) Ltd should allow Matreach Nigeria Limited to serve out the remaining years of the contracts as stipulated in its appointment letter — *Agreed to.*

Resolved:

- (i) That the Senate do urge Chevron Nigeria Limited (CNL) and Shell Nigeria Exploration and Production Company (SNEPCO) Ltd to comply with the directive of the Nigerian Ports Authority (NPA) to redeem all payments arising from the loss of earnings by Matreach Logistics for the years it was not allowed to carry out its legitimate duties; and
- (ii) That Chevron Nigeria Limited and Shell Nigeria Exploration and Production Company (SNEPCO) Ltd should allow Matreach Nigeria Limited to serve out the remaining years of the contracts as stipulated in its appointment letter (*S/Res/060/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

4. Suswan Ogbole & Co. on behalf of Mr. Alfa David Ibrahim, against the National Drug Law Enforcement Agency (NDLEA) for Illegal termination of his appointment by the Agency (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution:

Question: That based on the inability of National Drug Law Enforcement Agency (NDLEA) to prove beyond reasonable doubt the guilt of Mr. Alfa David Ibrahim as it relates to the allegations that he absconded from work for 22 days, and his alleged demand and receipt of the sum of Two Hundred and Seventy Thousand Naira (₦270,000) from the wife of a suspect, the petitioner be reinstated and paid all entitlements from the date his appointment was terminated till date — *Agreed to.*

Resolved:

That based on the inability of National Drug Law Enforcement Agency (NDLEA) to prove beyond reasonable doubt the guilt of Mr. Alfa David Ibrahim as it relates to the allegations that he absconded from work for 22 days, and his alleged demand and receipt of the sum of Two Hundred and Seventy Thousand Naira (₦270,000) from the wife of a suspect, the petitioner be reinstated and paid all entitlements from the date his appointment was terminated till date (*S/Res/061/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

5. Bekele Jones and Associates on behalf of Parsley Consults Limited and Emagu Nigeria Limited, against Shell Petroleum Development Company of Nigeria Limited (SPDC) for non-payment of accumulated rentals and expired leases, and discriminatory payments for land Re-acquisition and rentals in the Niger Delta (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should pay a uniform rate of ₦600,000 per hectare of land as rent fee per annum for all loss of use of surface rights from 2014 — *Agreed to.*

Proposed Resolution (ii):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should cancel all long-term leases of 99 years already imposed on landowners and comply with the provisions of the Oil Pipelines Act which stipulate a term of 20years only — *Agreed to.*

Proposed Resolution (iii):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should make payments for accumulated rentals and expired leases/re-acquisitions for the following pipelines:

- (a) 16" South Forcados Pipeline; and
- (b) Utapate South Delivery Line — *Agreed to.*

Proposed Resolution (iv):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should make payments for outstanding rentals for the following pipelines:

- (a) The Port-Harcourt Oloibiri Pipeline;
- (b) The Oloibiri Field; and
- (c) The entire Utapate/Akwa Ibom Fields — *Agreed to.*

Proposed Resolution (v):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should honour court judgements for payments to landowners in the following cases:

- (a) Suit No.NET/23/1977 between Godwin Akpan Udobia and Other Plaintiffs all of Ibitio Community and Chief George Ekperikpe and other Defendants all of Iko Community;
- (b) Ogboru Family Court Judgement — *Agreed to.*

Proposed Resolution (vi):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) should respect Powers of Attorneys donated by landowners to their Agents/Consultants to negotiate for them and receive their rentals from SPDC — *Agreed to.*

Proposed Resolution (vii):

Question: That Shell Petroleum Development Company of Nigeria Limited (SPDC) be mandated to pay ₦6,936,899,900 which is the total outstanding amount for all the unpaid rentals, expired leases and re-acquisition fees stated earlier — *Agreed to.*

Resolved:

- (i) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should pay a uniform rate of ₦600,000 per hectare of land as rent fee per annum for all loss of use of surface rights from 2014;
- (ii) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should cancel all long-term leases of 99 years already imposed on landowners and comply with the provisions of the Oil Pipelines Act which stipulate a term of 20years only;
- (iii) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should make payments for accumulated rentals and expired leases/re-acquisitions for the following pipelines:
 - (a) 16" South Forcados Pipeline; and
 - (b) Utapate South Delivery Line;
- (iv) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should make payments for outstanding rentals for the following pipelines:
 - (a) The Port-Harcourt Oloibiri Pipeline;
 - (b) The Oloibiri Field; and
 - (c) The entire Utapate/Akwa Ibom Fields;

- (v) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should honour court judgements for payments to landowners in the following cases:
 - (a) Suit No.NET/23/1977 between Godwin Akpan Udobia and Other Plaintiffs all of Ibitio Community and Chief George Ekperikpe and other Defendants all of Iko Community;
 - (b) Ogboru Family Court Judgement;
- (vi) That Shell Petroleum Development Company of Nigeria Limited (SPDC) should respect Powers of Attorneys donated by landowners to their Agents/Consultants to negotiate for them and receive their rentals from SPDC; and
- (vii) That Shell Petroleum Development Company of Nigeria Limited (SPDC) be mandated to pay ₦6,936,899,900 which is the total outstanding amount for all the unpaid rentals, expired leases and re-acquisition fees stated earlier (*S/Res/062/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- 6. Chief John Chukwu, against the Nigerian Bottling Company Limited for alleged breach of contract between JECI International Limited and the Nigerian Bottling Company (NBC) Limited (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution:

Question: That since the Contract Agreement between JECI International Limited and the Nigerian Bottling Company Limited was binding on both parties, JECI International Limited should take the matter to the Arbitration Panel in accordance with Clause 25.0 of the Contract Agreement for settlement — *Agreed to.*

Resolved:

That since the Contract Agreement between JECI International Limited and the Nigerian Bottling Company Limited was binding on both parties, JECI International Limited should take the matter to the Arbitration Panel in accordance with Clause 25.0 of the Contract Agreement for settlement (*S/Res/063/04/19*)

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- 7. Engr. Rasheedat Al-Bashir, against Abuja Electricity Distribution Company (AEDC) for her unlawful dismissal from the Service of the Company (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That the Senate do commend the Abuja Electricity Distribution Company (AEDC) for reinstating Engr. Rasheedat Al-Bashir to the service of the Company — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do advise Engr. Rasheedat Al-Bashir to eschew all traits and tendencies that would be at variance with the AEDC's core value and work with dedication henceforth — *Agreed to*.

Resolved:

- (i) That the Senate do commend the Abuja Electricity Distribution Company (AEDC) for reinstating Engr. Rasheedat Al-Bashir to the service of the Company; and
- (ii) That the Senate do advise Engr. Rasheedat Al-Bashir to eschew all traits and tendencies that would be at variance with the AEDC's core value and work with dedication henceforth (*S/Res/064/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- 8. Eze O. Chukwuma, against the Military Pensions Board and Fidelity Bank Plc. for non-payment of his gratuity and perpetuation of fraud in his Bank Account (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That the Senate is unable to grant the petitioner's prayer that his gratuity be paid to him by the Military Pensions Board because he had already been paid earlier while the remaining part of his gratuity and pension of ₦1,282,405.04 was also paid into his account in 2012 — *Agreed to*.

Proposed Resolution (ii):

Question: That since there was evidence to show that his account with Fidelity Bank Plc was unlawfully used to perpetrate fraud, no further action could be taken — *Agreed to*.

Resolved:

- (i) That the Senate is unable to grant the petitioner's prayer that his gratuity be paid to him by the Military Pensions Board because he had already been paid earlier while the remaining part of his gratuity and pension of ₦1,282,405.04 was also paid into his account in 2012; and
- (ii) That since there was evidence to show that his account with Fidelity Bank Plc was unlawfully used to perpetrate fraud, no further action could be taken (*S/Res/066/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- 9. Ndu A. Nnanna, against the National Population Commission (NPC) for denying him appointment to the post of Director, Administration and Human Resource Management or Secretary to the Commission (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:

Proposed Resolution (i):

Question: That Mr. Ndu A. Nnanna's appointment as Acting Secretary to the National Population Commission (NPC) be sustained, and all entitlements in respect of the appointment be duly paid to him — *Agreed to.*

Proposed Resolution (ii):

Question: That National Population Commission (NPC) be advised to desist from irregular appointments of officers to positions of authority in future — *Agreed to.*

Resolved:

- (i) That Mr. Ndu A. Nnanna's appointment as Acting Secretary to the National Population Commission (NPC) be sustained, and all entitlements in respect of the appointment be duly paid to him; and
- (ii) That National Population Commission (NPC) be advised to desist from irregular appointments of officers to positions of authority in future (*S/Res/067/04/19*).

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- 10. O. J. Omoke, against the Nigerian Defence Academy (NDA) for alleged wrongful withdrawal from the Academy (*Senator Samuel N. Anyanwu — Imo East*).

Report presented.

Question put and agreed to.

Debate:***Proposed Resolution (i):***

Question: That the decision of the Nigerian Defence Academy to withdraw the petitioner, Cadet O. J. Omoke be sustained because his withdrawal followed due process — *Agreed to.*

Resolved:

That the decision of the Nigerian Defence Academy to withdraw the petitioner, Cadet O. J. Omoke be sustained because his withdrawal followed due process (*S/Res/068/04/19*).

15. Committee on Agriculture and Rural Development:

Report on the National Fertilizer Quality (Control) Act Bill, 2019 (SB. 338):

Consideration of Report deferred to another Legislative Day.

16. Adjournment:

And it being 2:00 p.m. the Deputy Senate President adjourned the Senate till Tuesday, 19th February, 2019 at 10:00 a.m.

Adjourned accordingly at 2:00 p.m.

Ike Ekweremadu, CFR
Deputy President,
Senate of the Federal Republic of Nigeria.