



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Wednesday 22nd October, 2008

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

PRESENTATION OF BILLS

1. Economic and Financial Crimes Commission Act (Amendment) Bill, 2008 (SB.205) - *First Reading*
Senator Sola Akinyede (*Ekiti South*)
2. Intellectual Property Commission (Est, etc) Bill, 2008 (SB.208) - *First Reading*
Senator Yisa Braimoh (*Edo North*)
3. Nigerian Communications Commission Act (Amendment) Bill, 2008 (SB. 210) - *First Reading*
Senator Ehigie E. Uzamere (*Edo South*)
4. National Resources Producing Areas Development Commission Bill, 2008 (SB. 209) - *First Reading*
Senator Barigha Amange (*Bayelsa East*)

ORDERS OF THE DAY

MOTION

1. Rescission of Senate Resolution on the Petition by Sgt. Okwara Oliver & 27 Soldiers Against The Nigerian Army Sen. Ibrahim M. Ida
(*Katsina Central*)

Co Sponsors:

Sen. Chris N. Anyanwu
Sen. Mohammed Mana
Sen. Abdullahi I. Umar
Sen. Satty D. Gogwim

Sen. John N. Shagaya
Sen. Bode Olajumoke
Sen. Aloysius A. Etok
Sen. Anyim Udeh

Sen. Ayogu Eze
Sen. Caleb Zagi
Sen. Kamoru Adedibu
Sen. Abubakar T. Ayuba

The Senate,

Recalls that on 4th July, 2008, some soldiers of the 323 Artillery Regiment Akure, Ondo State, came out of their barracks, with arms, and staged skirmishes in the town, on the allegation that they were deliberately short-changed on payments of some allowances due to them while they were on a peace keeping operation;

Notes that given the sensitivity of the soldiers' action, and in consideration of the seriousness with which the Military High Command took the skirmishes, the soldiers were arrested and detained. Thereafter, and in accordance with the provisions of the **Armed Forces Act, (AFA), 2004, Section 172**, the Nigerian Army instituted a Board of inquiry to establish if a punishable offence had been committed by the soldiers;

Notes that after the inquiry, the Board established that the soldiers have a case to answer and in compliance with the provision of **section 124 (6) (a) AFA**, an appropriate Court Marshal was constituted to try the soldiers;

Notes that the proceedings of the Court Martial are currently on and given that a Court Martial is an institution recognized by the Constitution, any outside discussion of a matter before it is subjudice;

Notes that besides, by the provision of Section 149 (1) of the AFA 2004, an accused may, within 2 months after being found guilty and sentenced by a court Martial and before the sentence is confirmed, submit to the confirming authority a written representation which may reasonably tend to affect the confirming authority's decision whether to disapprove a finding of guilty verdict or approve the sentence;

Notes that where a guilty verdict of Court Martial is confirmed by the confirming authority, an accused has the right of appeal to the court of Appeal, and on to the supreme Court. Thus, the soldiers in question have full legal remedy, and so in accordance with Order 53 (5) of the Senate Rules 2007, As Amended, their petition **cannot be entertained by the senate** until they exhaust all the legal remedies available to them;

Notes that since the occurrence of the unfortunate incident, the senate committee on Defence and Army has been monitoring the handling of the matter and is resolved to see that justice is done to the accused soldiers.

Accordingly resolves to:

- (i) ***Rescind*** its decision of Wednesday 15th October, 2008 to commit the petition of Sgt. Okwara Oliver & 27 soldiers to the committee on Ethics and public petition ; and
- (ii) ***Stay*** any further action on the matter because so doing will be both subjudice and contrary to the provision of Order 53 (5) of the Senate Rules 2007 As Amended.

CONSIDERATION OF A REPORT

1. Report of the Committees on FCT and Housing:

Public Hearing in respect of the Administration of FCT between 1999 -2007

Senator Abubakar D. Sodangi (Nasarawa West) Senator Ikechukwu J.

Obiorah (Anambra South)

"That the Senate do consider the Report of the Committees on FCT and Housing, on the Public Hearing in respect of the Administration of FCT between 1999 - 2007'.

CONSIDERATION OF BILLS

1. A Bill for an **Act to** Establish the Ecological Fund for the Purposes of Funding Certain Federal Agencies Dealing with Environmental and Ecological Problems and for Related Matters, 2008 (SB 91)
Second Reading
Senator Grace F. Bent (Adamawa South)
2. A Bill for an Act to Provide for the Establishment of the Nigerian Trade and Competition Commission and for Other Matters Connected Therewith, 2008 (SB. 80) - *Second Reading*
Senator Joel D. Ikenya (Taraba South)
3. A Bill for an Act to Provide for the Prohibition of Electronic Fraud in All Electronic Transactions in Nigeria and for Other Related Matters, 2008 (SB. 185) - *Second Reading*
Senator Ayo Arise (Ekiti North)

COMMITTEE MEETINGS

	<i>Committee</i>	<i>Date</i>	<i>Time</i>	<i>Venue</i>
1.	Foreign Affairs	Wednesday, 22nd October, 2008	2.30 p.m.	Committee Room 204 New Senate Building Assembly Complex
2.	Public Accounts	Wednesday, 22nd October, 2008	2.00 p.m.	Hearing Room 4 Assembly Complex
3.	Banking, Insurance & Other Financial Institutions	Wednesday, 22nd October, 2008	2.00 p.m.	Committee Room 323 New Senate Building Assembly Complex
	Federal Character and Governmental Affairs	Wednesday, 22nd October, 2008	2.00 p.m.	Committee Room 304 New Senate Building Assembly Complex
	Judiciary, Human Rights and Legal Matters (<i>Screening</i>)	Wednesday, 22nd October, 2008	2.00 p.m.	Committee Room 3.13 New Senate Building Assembly Complex
	Environmental and Ecology	22nd & 23rd October, 2008	2.00 p.m.	Committee Room 117 New Senate Building Assembly Complex
7.	Ethics, Code of Conduct & Public Petitions	Wednesday, 22nd October, 2008	12.30 p.m.	Committee Room 211 New Senate Building Assembly Complex
8.	Interior	Wednesday, 22nd October, 2008	12.00 noon	Committee Room 313 New Senate Building Assembly Complex
9.	Drugs, Narcotics, Financial Crimes and Anti Corruption	Wednesday, 22nd October, 2008	2.00 p.m.	Committee Room 426 New Senate Building Assembly Complex