



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 8th February, 2006

1. The Senate met at 10: 15 a. m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 7th February, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Matter of Urgent Public Importance:**
Non-Release of Twenty-Seven Billion Naira into the Federation Account by NNPC: Rising on Rules 42 and 52, Senator Lawal Shuaibu invited the attention of the Senate to the non-release of Twenty-Seven Billion Naira into the Federation Account by the Nigerian National Petroleum Corporation (NNPC) for disbursement to Federal, State and Local Governments. He sought and obtained leave of the Senate for the matter to be debated forthwith as a Matter of Urgent Public Importance.

Motion made and Question Proposed: That whereas consequent upon the stalemate between the Chairman, Revenue Mobilization **Allocation and** Fiscal Commission; the Minister of Finance and Group **Managing** Director of Nigerian National Petroleum Corporation (NNPC) with respect to the inability of NNPC to release the balance of Twenty-Seven Billion Naira (N27B) into the Federation Account for disbursement to Federal, State and Local Governments for the Month of January, 2006.

Be it resolved:

That the Senate do invite the Chairman, Revenue Mobilization, Allocation and Fiscal Commission; the Minister of Finance and Group Managing Director of Nigerian National Petroleum Corporation (NNPC) to brief the Senate on why the NNPC has not released the money into the Federation Account (*Senator Lawal Shuaibu*).

Debate:

Amendment Proposed:

That the Governor of ~~the~~ Central Bank of Nigeria (CBN) be also invited (*Senator Tokunbo Afikuyomi*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

That the Honourable Minister of State, Petroleum Resources be included in the list of officers to be invited (*Senator Farouk B. Bunza*).

Question that the amendment be made put and agreed to.

Further Amendment Proposed:

That the officers to be invited should include the Accountant-General of the Federation (*Senator Ibrahim N, Mantu*).

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

that the main prayer as amended put and agreed to.

Resolved:

That the Senate do invite the Honourable Minister of Finance; the Honourable Minister of State, Petroleum Resources; Group Managing Director, Nigerian National Petroleum Corporation (NNPC); the Governor of the Central Bank of Nigeria (CBN); the Chairman, Revenue Mobilization, Allocation and Fiscal Commission and the Accountant-General of the Federation to brief the Senate on why the NNPC has not released the money into the Federation Account (*S. Res. 038/06*).

4. Presentation of Bill:

Motor Vehicle (Third Party) Insurance Act (Amendment) Bill 2006 (SB. 279) — *Read the First Time.*

5. Committee on Establishment and Public Service Matters:

Report on the Screening of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun State in the Federal Civil Service Commission (FCSC):

Motion made and Question Proposed: That the Senate do receive and consider the Report of Committee on Establishment and Public Service Matters on the screening of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission (*Senator Felix O. Ibru*).

Question put and agreed to.

Report presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Report on the screening of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission:

Debate:

Recommendation:

Question: That the Senate do confirm the nomination of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission (*Senator Felix O. Ibru*) — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate in the Committee of the Whole considered the Report of Committee on Establishment and Public Service Matters on the Screening of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission and approved the nomination.

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

Confirmation:

"Will the Senate confirm the nomination of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission?" — Agreed to.

Nomination of Engr. Salih Adesina Agberongbe as Commissioner representing Lagos and Ogun States in the Federal Civil Service Commission accordingly confirmed.

6. Fiscal Responsibility Bill 2006:

Report on the Study Visit to Brazil and South Africa:

Motion made and Question Proposed: That the Senate do receive the Report on the Study Visit to Brazil and South Africa on the Fiscal Responsibility Bill 2006 (*Senator Udoma Udo Udoma*).

Question put and agreed to.

Report presented and Laid.

7. Committee on Establishment and Public Service Matters:

Report on the Federal Government Policy on Right - Sizing and Down - Sizing in the Federal Public Service:

Motion made and Question Proposed: That the Senate do consider the Report of Committee on Establishment and Public Service Matters on the Report on the Federal Government Policy on Right - Sizing and Down - Sizing in the Federal Public Service (*Senator Felix O. Ibru*).

Question put and agreed to.

Debate:

Recommendation (i):

Question: That the Federal Civil Service Commission in exercising its constitutional powers should ensure that extend rules are strictly observed (*Senator Felix O. Ibru*) — *Agreed to.*

Recommendation (ii):

Question: That in drawing the final list of officers to be affected, the Head of the Civil Service of the Federation in conjunction with the Committee appointed for the exercise should involve the Labour Union, the Civil Service Union, the Joint National Public Service Negotiating Council and any other concerned with the recruitment of officers into the Public Service (*Senator Felix O. Ibru*).

Amendment Proposed:

Immediately after the word "council" in line 3 *insert* the words "Representative of the Federal Character Commission" (*Senator Mohammed Abba Aji*).

Question that the amendment be made put and agreed to.

Recommendation (iii):

Question: That before the implementation of the "Down - Sizing/Right - Sizing" Policy of the Federal Government, a skill acquisition programme should have been established to cater for the victims of the exercise (*Senator Felix O. Ibru*).

Amendment Proposed:

Leave out the words "have been" in line 2 and *insert* the word "be" (*Senator Tunde Ogbeha*).

Question that the amendment be made put and agreed to.

Recommendation (iv) :

Question: That the Federal Government should ensure that all the officers to be affected be paid their full entitlements (*Senator Felix O. Ibru*) — *Agreed to.*

Recommendation (v):

Question: That the Federal Government's implementation committee in charge of the exercise should provide the Senate with a comprehensive list of affected officers including all relevant data (*Senator Felix O. Ibru*).

Amendment Proposed:

Immediately after the word "should", in line 1 *leave out* the words "provide the Senate with a comprehensive' list-of affected officers including all relevant data" and *insert* the words "publicize the list of the affected officers by ensuring that it is gazetted" instead thereof (*Senator Mohammed Abba Aji*).

Question that the amendment be made put and agreed to.

Recommendation (vi):

Question: That there should be adequate provision for re-training officers not affected by the exercise (Senator Felix O. Ibru).

Amendment Proposed:

Leave out the provision in Recommendation (vi)(Senator Udoma Udo Udoma).

Question that the amendment be made put and agreed to.

Recommendation (vii) :

Question: That Government should as a matter of policy re-establish farm-settlements in every local government area in Nigeria to absorb some of the unemployed graduates and school leavers (Senator Felix O. Ibru).

Amendment Proposed:

Leave out the provision in Recommendation (vi)(Senator Mohammed Abba Aji).

Question that the amendment be made put and agreed to.

Resolved:

- (i) That the Federal Civil Service Commission in exercising its constitutional powers should ensure that extend rules are strictly observed.
- (ii) That in drawing the final list of officers to be affected, the Head of the Civil Service of the Federation in conjunction with the Committee appointed for the exercise should involve the Labour Union, the Civil Service Union, the Joint National Public Service Negotiating Council, Representative of the Federal Character Commission and any other concerned with the recruitment of officers into the Public Service.
- (Hi) That before the implementation of the "Down - Sizing/Right - Sizing" Policy of the Federal Government, a skill acquisition programme should be established to cater for the victims of the exercise.
- (iv) That the Federal Government should ensure that all the officers to be affected be paid their full entitlements
- (v) That the Federal Government's implementation committee in charge of the exercise should publicize the list of the affected officers by ensuring that it is gazetted (**S. Res.039/06**).

8. Committee on Establishment and Public Service Matters:

Report on the Pension Reform Act (Amendment) Bill 2005:

Motion made and Question Proposed: That the Senate do consider the Report of the Committee on Establishment and Public Service Matters on the Pension Reform Act (Amendment) Bill 2005 (Senator Felix O. Ibru).

Question put and agreed to.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (Senate Majority Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Report of Committee on Establishment and Public Service Matters on the Pension Reform Act (Amendment) Bill 2005.

Recommendation (i):

Question: That the proposed increase from 5% to 7% will create disturbing Budget Deficit and therefore should be suspended for now (*Senator Felix O. Ibru*)— *Agreed to.*

Recommendation (ii):

Question: That the proposed amendment is too early and cannot be substantiated now. The Commission is however empowered by the Act to introduce reasonable redress on any problematic sections as and when necessary (*Senator Felix O. Ibru*) — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of Committee on Establishment and Public Service Matters on the Pension Reform Act (Amendment) Bill 2005 and approved as follows:

- (i) That the proposed increase from 5% to 7% will create disturbing Budget Deficit and therefore should be suspended for now.
- (ii) That the proposed amendment is too early and cannot be substantiated now. The Commission is however empowered by the Act to introduce reasonable redress on any problematic sections as and when necessary.

9. Committee on Establishment and Public Service Matters:

Tenure of Office Bill 2004 (SB. 123):

Motion made and Question Proposed: That the Senate do consider the Report of the Committee on Establishment and Public Service Matters on the Tenure of Office Bill 2006 (*Senator Felix O. Ibru*).

Question put and agreed to.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Report of Committee on Establishment and Public Service Matters on the Tenure of Office Bill 2006 (SB. 123).

Debate:

Recommendation (i):

Question: That the Committee humbly recommends that the Senate should encourage the sponsors of the Bill to re structure it in line with the provisions of Sections 147 and 157 of the 1999 Constitution (*Senator Felix O. Ibru*) — *Agreed to.*

Recommendation (ii):

Question: That the Senate should initiate the amendment of its Standing Rules to accommodate some of the intentions of the Bill subject to the provisions of the Constitution of Federal Republic of Nigeria 1999 (*Senator Felix O. Ibru*) — *Agreed to.*

Recommendation (Hi):

Question: That the issues conflicting with the Constitution in the Bill such as in Section 8 may be recommended to the Constitution Review Committee (CRC) for consideration (*Senator Felix O. Ibru*) — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of Committee on Establishment and Public Service Matters on the Tenure of Office Bill 2006 and approved the Committee's recommendations.

Question: That the Report of the Committee of the Whole be approved — *Resolved in the Affirmative.*

10. National Inland Water Ways Authority Act (Amendment) Bill 2006 (SB. 218) — Second Reading.

Consideration deferred till the next legislative day.

11. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 9th February, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1. 35 p. m.

Ken Nnamani
President of the Senate